

URBAN/MUNICIPAL

CA4 ON HBL A05

M21

1991

Jul-Sept '91

minutes of the meetings  
of the Council  
of Hamilton







URBAN/MUNICIPAL  
CAYON HBL A05  
M21

1991

Hamilton City Council  
July 30, 1991  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met.

Present: Mayor R. M. Morrow

Aldermen Kiss, Agro, McCulloch, Drury, Copps, Wilson, Lombardo,  
Formosi, Jackson, Merling, Gallagher, Murray, Ross.

Absent: Alderman Cooke - Vacation  
Alderman Hinkley - Regional Business  
Alderman Agostino - City Business

Mayor Morrow called the meeting to order.

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Pastor Stan Reeder, First Church of the Nazarene led the Council in prayer.

\* \* \* \* \*

The following presentations were made:

A Certificate of Recognition was presented to Mr. George Evans, President of Paling Incorporated for his enthusiastic leadership and dedication in building a company known for its excellence in heavy vehicle manufacture, repair and refurbishing throughout Canada and the United States.

A Certificate of Congratulations was presented to Gwynneth Cook on receiving the Stanley J. Hussey Memorial Award from Parents Without Partners.

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Mr. Joe Smith, President, Hamilton Gallery of Distinction issued a media release relative to the 1991 Inductees to the Gallery of Distinction and special Gala Dinner which will be held at the Hamilton Convention Centre November 6, 1991.

\* \* \* \* \*



July 30, 1991

The minutes of the meeting held June 25, 1991 were taken as read and approved.

\* \* \* \* \*

CORRESPONDENCE:

1. Letter dated July 17, 1991 from the Regional Municipality of Hamilton-Wentworth  
Re: Placing of a question respecting Sunday Shopping on the ballot in the 1991  
Municipal Election.

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson owns a store on James Street.

Alderman Ross declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Ross's wife owns a store on Ottawa Street.

Both of these business's may be affected by Sunday and Holiday Shopping store hour operation.

Council debated the recommendation of the Region following which it was moved by Alderman Gallagher and seconded by Alderman Murray

- (a) That the following question be placed on the 1991 Municipal Election Ballot:

**"Are you in favour of the Province of Ontario legalizing Sunday  
and Holiday Shopping?"**

YES \_\_\_\_\_ NO \_\_\_\_\_ "

- (b) That the Province of Ontario be requested to ask all Ontario Municipalities to place a similar question on their respective ballots in 1991.

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Lombardo,  
Formosi, Gallagher, Murray. -9.

NAYS: Aldermen Agro, Wilson, Merling. -3.

**CARRIED.**



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2. Resolution dated June 25, 1991 from the City of Kitchener respecting proposed amendments to the Ontario Labour Relations Act.

**Referred to the Finance and Administration Committee.**

3. Resolution dated June 26, 1991 from the City of Toronto respecting "Zero Discharge Statement of Principles".

**Referred to the Region Municipality of Hamilton-Wentworth.**

4. Resolution dated June 28, 1991 from the Regional Municipality of Waterloo respecting the Development Charges Act.

**Referred to the Finance and Administration Committee.**

5. Resolution dated June 20, 1991 from the City of Oshawa regarding financial support for the continuation of the Rolling Thunder Theatre Group.

**Referred to the Finance and Administration Committee.**

6. Resolution dated June 21, 1991 from the City of Niagara Falls regarding Licensed Lottery Operations.

**Referred to the Finance and Administration Committee.**

7. Resolution dated July 17, 1991 from the City of Nepean pertaining to the calling of a Royal Commission of Inquiry into the circumstances surrounding the Air India tragedy.

**Referred to the Finance and Administration Committee.**

8. Letter dated July 9, 1991 from Alderman M. Kiss and petition dated July 4, 1991 opposing the construction of a parking lot at Churchill Park .

**Received.**

9. Petition dated July 24, 1991 from "The Business People of James Street North respecting the Jamesville B.I.A.

**Referred to the Planning and Development Committee.**



July 30, 1991

10. Letter dated July 11, 1991 from J. Henderson Nurre, Chairman, Cari-Can Festival respecting the decision not to fund the 1991 Canadian Caribbean Festival of Hamilton Committee.

**Received.**

11. Application dated June 24, 1991 from Tyka Investment Limited, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "RT-30" (Street-Townhouse) District and "C" (Urban Protected Residential etc.) District for 1158 Upper Wentworth Street, Hamilton, Ontario.

**Received.**

12. Application dated June 27, 1991 from Henry A. Hader, Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for 161 Delaware Avenue, Hamilton, Ontario.

**Received.**

13. Application dated June 28, 1991 from Hamcon Co-operative Housing Services, Hamilton, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District for 145 MacNab Street North, Hamilton, Ontario.

**Received.**

14. Application dated June 28, 1991 from Catherine Marie Healey (Healey Hair Design), Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for 126 Lilacside Drive, Hamilton, Ontario.

**Received.**

15. Application dated July 8, 1991 from James and Mary Mikles, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 1062 and 1088 Upper Paradise Road, Hamilton, Ontario.

**Received.**



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16. Application dated July 8, 1991 from Christopher Pies Inc., Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District for 27 Rymal Road West, Hamilton, Ontario.

**Received.**

17. Application dated July 19, 1991 from the Hamilton Region Conservation Authority for a modification to the "AA" (Agricultural) District regulations for land municipally known as No. 100 Confederation Drive, Hamilton, Ontario.

**Received.**

18. Letter dated June 28, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law No. 91-99 respecting 172 Sanford Avenue South.

**No Action.**

19. Letter dated June 28, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law No. 91-101 respecting property at 126, 128, 130, 132, 134 and 136 Young Street.

**No Action.**

20. Letter dated June 28, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law No. 91-104 respecting property at 70 West Avenue South.

**No Action.**

21. Undated letter from Ms. Terri Adele Stubbs re: conduct of a council member.

**Received.**

22. Letter dated July 30, 1991 from Mr. George Moore, Netmedia Enterprises re: Bill Distributors and Bill Posters.

**Received.**



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23. Letter dated July 30, 1991 from Mr. Dave Copeland, Advertising Director, The Hamilton Spectator Re: Bill Distributors and Bill Posters.

**Received.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman Agro that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, the Report of His Worship Mayor R. M. Morrow, and the Finance and Administration Committee, with Alderman Gallagher in the chair.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -14.

NAYS: 0.

**CARRIED.**

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#### **TRANSPORT AND ENVIRONMENT COMMITTEE - TENTH REPORT**

##### **Section 14 (a) Sidewalks - Sorrento Place**

It was moved by Alderman Merling and seconded by Alderman Murray that section 14 of the Tenth Report of the Transport and Environment Committee be amended by deleting sub-section (a) in its entirety and substituting in lieu thereof the following:

- 14 (a) That sidewalks be constructed on the east side of Sorrento Place from the north limit of house #35 southerly to Como Drive, and on the west side of Sorrento Place from the north limit of house #40 southerly on Como Drive.

**CARRIED.**

\* \* \* \* \*



**Section 18 Application to retain inadvertent encroachments**

It was moved by Alderman Merling and seconded by Alderman Murray that Section 18 of the Tenth Report of the Transport and Environment Committee for 1991 be amended by adding the following before Sub-section (a):

That the applications to retain inadvertent encroachments and install temporary encroachments at the locations outlined in Appendix "C", be approved during the pleasure of Council provided:"

and, further by amending Sub-section (c) be deleting "Schedule "A" and substituting in lieu thereof the words "Appendix "C". **CARRIED.**

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**TRANSPORT AND ENVIRONMENT COMMITTEE - ELEVENTH REPORT**

\* \* \* \* \*

**PARKS AND RECREATION COMMITTEE - FOURTEENTH REPORT**

**Section 7 Permission to have alcoholic beverages at Dundurn Park - Hester Street Bocce Association.**

Recorded Vote:

**YEAS:** Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -12.

**NAYS:** Alderman Jackson. -1. **CARRIED.**

\* \* \* \* \*

**Section 8 Permission to sell alcoholic beverages - Greek-Canadian Church.**

Recorded Vote:

**YEAS:** Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -12.

**NAYS:** Alderman Jackson. -1. **CARRIED.**



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**Section 9      Pier 4 Park, Eastwood Park and Bayview Park to host Amstel's Greater Hamilton Aquafest**

Recorded Vote:

YEAS:           Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -12.

NAYS:           Alderman Jackson. -1.

**CARRIED.**

\* \* \* \* \*

**PARKS AND RECREATION COMMITTEE - FIFTEENTH REPORT**

**Section 1      Purchase Order - Moore/George Associations Inc. - Parks and Recreation Open Space Master Plan**

It was moved by Alderman Merling and seconded by Alderman Ross that Section 1 of the Fifteenth Report of the Parks and Recreation Committee be referred back with instructions that a recommendation be brought back to City Council for this study to be carried out "in-house".

Recorded Vote:

YEAS:           Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -13.

NAYS:           Alderman Jackson. -1.

**CARRIED.**

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**PLANNING AND DEVELOPMENT COMMITTEE - ELEVENTH REPORT**

\* \* \* \* \*

**INFORMATION SYSTEMS COMMITTEE - FOURTH REPORT**

\* \* \* \* \*



July 30, 1991

**REPORT OF HIS WORSHIP MAYOR R. M. MORROW - SECOND REPORT**

**Section 1 Appointment of Citizen Members - Mayor's Race Relations Committee**

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson,  
Lombardo, Formosi, Jackson, Gallagher, Ross. -11.

NAYS: Alderman Murray. -1. **CARRIED.**

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**FINANCE & ADMINISTRATION COMMITTEE - FOURTEENTH REPORT**

\* \* \* \* \*

**FINANCE & ADMINISTRATION COMMITTEE - FIFTEENTH REPORT**

**Section 26 By-law Respecting Bill Posters and Bill Distributors.**

Recorded Vote.

YEAS: Aldermen Kiss, Copps, Wilson, Jackson. -4.

NAYS: Mayor Morrow, Alderman Agro, McCulloch, Drury, Lombardo, Formosi,  
Merling, Gallagher, Murray, Ross. -10. **LOST.**

\* \* \* \* \*



July 30, 1991

**Section 30 Non-use of Sexist Language\Establishment of a Committee**

Alderman Gallagher declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Gallagher advised that he was leaving the Council Chamber for the duration of the debate on this matter.

**Recorded Vote on Section 30 (a)**

**YEAS:** Mayor Morrow, Aldermen Kiss, Drury, Wilson, Jackson. - 5.

**NAYS:** Aldermen McCulloch, Copps, Lombardo, Formosi, Merling, Murray, Ross. -7.  
**LOST.**

**Recorded Vote on Section 30 (b)**

**YEAS:** Mayor Morrow, Aldermen Kiss, Drury, Wilson, Jackson. - 5.

**NAYS:** Aldermen McCulloch, Copps, Lombardo, Formosi, Merling, Murray, Ross. -7.  
**LOST.**

\* \* \* \* \*

**Section 38 Introduction of Bills**

It was moved by Alderman McCulloch and seconded by Alderman Kiss that section 38 of the Fifteenth Report of the Finance and Administration Committee be amended by deleting Bill H-35 - A By-law to Replace Schedule 19, To Licensing By-law 79-323 Respecting Bill Posters and Bill Distributors, Etc."  
**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman McCulloch that Alderman D. Ross be appointed Acting Mayor for the month of August, 1991. **CARRIED.**

\* \* \* \* \*



July 30, 1991

It was moved by Alderman Kiss and seconded by Alderman McCulloch that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, the Report of His Worship Mayor R. M. Morrow, and the Finance and Administration Committee and resolutions be adopted.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -13.

NAYS: -0.

CARRIED.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman McCulloch that the following Bills be now read a first time:

A-49, A-50, A-51, A-52, A-53, A-54.  
C-50, C-51, C-52, C-53, C-54, C-55, C-56, C-57, C-58.  
H-33, H-34, H-36, H-37.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -13.

NAYS: 0.

CARRIED.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman McCulloch that Council move into Committee of the Whole to consider the following Bills, with Alderman Gallagher in the chair. (second reading)

A-49, A-50, A-51, A-52, A-53, A-54.  
C-50, C-51, C-52, C-53, C-54, C-55, C-56, C-57, C-58.  
H-33, H-34, H-36, H-37.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -13.

NAYS: 0.

CARRIED.

\* \* \* \* \*



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**Consideration of the Bills (second reading).**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman McCulloch that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-49, A-50, A-51, A-52, A-53, A-54.  
C-50, C-51, C-52, C-53, C-54, C-55, C-56, C-57, C-58.  
H-33, H-34, H-36, H-37.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -13.

NAYS: 0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman McCulloch that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-49, A-50, A-51, A-52, A-53, A-54.  
C-50, C-51, C-52, C-53, C-54, C-55, C-56, C-57, C-58.  
H-33, H-34, H-36, H-37.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -13.

NAYS: 0. **CARRIED.**

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City Council then adjourned at 10:20 o'clock p.m.

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## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TENTH** Report for 1991 and respectfully recommends:

1. (a) That the By-Law to alter Sanatorium Road from West 21st Street to Garth Street be introduced and enacted by Council.
- (b) That the Commissioner of Transportation/Environment Services be authorized to prepare the construction documents and to carry out construction this year.
2. (a) That the following City lands be sold to various abutting owners:

<u>Sale of City Lands</u>	<u>Sale to</u>	<u>Description of Sale</u>	<u>Consideration</u>
Alley south of Concession Between East 38th and East 39th	Peter Emery	Part 2, 62R-11097	\$1.00
	Donald Wilds	Part 3, 62R-11097	\$1.00
	Marc and Carol Corrin	Part 1, 62R-11097	\$1.00
	Milorad and Dusica Kobiliski	Part 4, 62R-11097	\$1.00
Alley south of Main (between Balmoral Avenue and Grosvenor)	Diego and Mary Sebastianutti	Part 5, 62R-10227	\$1.00
	482115 Ontario Ltd	Part 8 & 9, 62R-10227	\$1.00
	Michael and Jessie Wyslobicky	Part 6, 62R-10227	\$1.00
	George Badura	Part 2, 62R-10227	\$1.00
	Mario Felicetti	Part 3, 62R-10227	\$1.00



- (b) That the appropriate By-Laws carry out the sale of the lands be enacted by Council.
  - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
- 3. That a School Crossing Guard be assigned to the signalized intersection of Queen Street south and Aberdeen Avenue.
- 4. That a Summer Crossing Guard be assigned to the intersection of Britannia Avenue and Tragina Avenue.
- 5.
  - (a) That staff be directed to erect barriers on Lloyd Street to permit automobile traffic but prohibit truck traffic.
  - (b) That staff investigate the possibility of opening up the old private roadway on Consumer's Glass property to provide access to truck traffic.
  - (c) That staff report back to the Transport and Environment Committee with any findings regarding the above-noted directions.
- 6. Notwithstanding that the policy of insurance obtained by Canadian Pacific Limited for cessation of whistling at-grade crossings contains a clause excluding coverage for pollution (chemical releases or chemical spills), that the City of Hamilton proceed with the completion of the agreement specified in Item 32 of the Transport and Environment Committees ninth report, adopted by Council June 25, 1991.
- 7. That purchase orders be issued to December 31, 1991, for the rental of labour and equipment for snow removal, with an option in favour of the City to extend for three additional one year terms, expiring April 30, 1994, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, attached hereto as Appendix "A" and that this expenditure be financed through the Hired Equipment Clearing Account No. CH56602 60999.
- 8.
  - (a) That an Option to Purchase executed by Frank Russo and Paola Pasinato on June 20, 1991 and scheduled for closing on or before September 23, 1991 for the purchase of part of the property at 1286 Upper James Street, required for the extension of Forbes Avenue in the Blossom Estates Subdivision, be approved and completed. The subject parcel contains 2,410 square feet (0.055

acre) and is shown as Part 3 on Plan 62R-10161. The purchase price of \$8,000.00 be charged to Account Number CH 5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands-Transportation Capital) in which sufficient funds are available to finalize this transaction.

- (b) That consideration in the amount of \$2.00 has been paid to the owners and forms part of the purchase price.
- 9.
- (a) That an Offer to Purchase, duly executed by Frederick and Wilma Daskaluk on July 3, 1991, and scheduled to close thirty (30) days after the enactment of a by-law to sell the closed portion of said alleyway, for the purchase of a portion of the East/West Alleyway directly South of Municipal Address 410 Upper Wentworth Street be accepted and completed. The portion to be purchased is more particularly described as the North half, front to rear, of the East/West 10 foot Alley abutting the North Limit of Lot 50, Registered Plan 541. Said alley portion has a frontage along the easterly limit of East 19th Street of 5 feet (1.524 metres) more or less, by a depth of 140 feet (42.6 metres) more or less. The purchase price of \$1.00 be credited to Account Number CH 4X501 00102 (Sale of Land - Property Purchases).
  - (b) That an Offer to Purchase, duly executed by Frederick and Wilma Daskaluk on July 3, 1991, and scheduled to close thirty (30) days after the enactment of a by-law to sell the closed portion of said alleyway, for the purchase of a portion of the East/West Alleyway directly North of Municipal Address 103 East 19th Street, be accepted and completed. The portion to be purchased is more particularly described as the South half, front to rear, of the East/West 10 foot Alley abutting the North Limit of Lot 50, Registered Plan 541. Said alley portion has a frontage along the easterly limit of East 19th Street of 5 feet (1.524 metres) more or less, by a depth of 140 feet (42.6 metres) more or less. The purchase price off \$1.00 be credited to Account Number CH 4X501 00102 (Sale of Land - Property Purchases).
  - (c) That the sale of this Alleyway be conditional upon the following:
    - i. It is understood and agreed that this Offer to Purchase is conditional upon a Judge's Order being granted to stop up and close that portion of the alleyway being located directly north of 103 East 19th Street. In the event that the Judge's Order is not granted the Purchaser and City agree that this Agreement of Purchase and Sale shall be null and



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void and the deposit, if any, received by the City from the Purchaser shall be returned to the Purchaser without deduction or interest and the Purchaser agrees that he shall have no claim against the City for any cost, expense, interest, claim or damages as a result of the termination of this Agreement.

- ii. It is understood and agreed by the Purchaser that the closing of the sale by the City of the subject property to him is also conditional upon the Municipality enacting a by-law to authorize the sale of the closed former highway and upon the compliance by the Municipality with the procedures for that purpose in the Municipal Act. In the event that the Municipality does not enact a by-law for the sale of the subject land to the Purchaser, the Purchaser and the City agree that this Agreement of Purchase and Sale shall be null and void and the deposit, if any, received by the City from the Purchaser shall be returned to the Purchaser without deduction or interest and the Purchaser agrees that he shall have no claim against the City for any cost, expense, interest, claim or damages as a result of the termination of this Agreement.
- iii. It is understood and agreed that the exact area to be purchased will be determined by a survey provided by the Purchaser in compliance with the policy attributable to the closing of alleys.
- iv. It is understood and agreed by both parties that the Purchasers (Mr. Frederick Daskaluk and Mrs. Wilma Daskaluk) have the right to assign this Agreement to another party prior to the completion of this transaction.

- 10. (a) That an Option to Purchase executed by the owner, The Board of Education for the City of Hamilton on July 3, 1991 and scheduled for closing on or before October 8, 1991, for the property known as Parts 1-14 on Plan 62R-11311, be approved and completed. The subject lands are irregular in shape and contain .9651 hectares (2.3849 acres) and are located south of Rymal Road East. The purchase price of \$75,001.00 be charged to Account Number CH 5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands - Transportation Capital).

(b) That the Option to Purchase be conditional upon the following:

- i. aa) It is understood and agreed by the Vendor and Purchaser, that the City of Hamilton will establish one foot reserves along the frontages of all the public streets being acquired in order to recover costs for services from the abutting developers in accordance with normal City and Regional policy (see letter dated May 31, 1991 from Mr. K. Brenner).
- bb) It is understood and agreed by both parties, that \$75,000.00 of the purchase price is for compensation being provided for Parts 4, 5, 6, 10, 12 and 13 on 62R-11311 (Upper Wentworth Street) and in view of the compensation being satisfactory to both parties, the Purchaser (City) will not recover any land costs associated with the lifting of the one foot reserve for lands abutting Upper Wentworth.
- cc) It is further agreed that the land required for the public roads known as parts 1, 2, 3, 14, 7, 8, 9 and 11, 62R-11311 is being conveyed for the sum of \$1.00 and here again there will be no land cost recovery.
- ii. The Purchaser agrees to grant the Vendor a right-of-way over the said parcels of egress and ingress purposes until such time as they are incorporated into the roadway.

It is understood between the parties that the provisions contained in the above-mentioned conditions shall survive the closing of the sale and not merge and shall remain in full force and effect.

- 11. (a) That the "Criteria For Industrial Roadside Beautification Program" - July 1991 attached hereto as Appendix "B" be approved.
- (b) That the criteria for Industrial Roadside Beautification Program be forwarded to the Region and the Region be requested to consider adapting a similar program on Regional roads.



- (c) That the Regional Engineering Services Committee be requested to report on their construction contracts for improvements in boulevard areas on regional roads.
- 12. (a) That the authorization given to the Commissioner of Engineering to issue a purchase order to Weinmann Electric Limited at a total cost of twenty-seven, four hundred and seventy-one dollars and fifty cents (\$27,471.50) as per Item 13(b) of the 10th Report for 1990 of the Transport and Environment Committee approved by City Council on 1990 July 31, be rescinded; and
- (b) That a purchase order be issued to Gerrie Electric to supply 92 light fixtures complete with high-pressure sodium lamps, brackets and 22" globes at a total cost of thirty thousand and thirty-eight dollars and ninety-two cents (\$30,038.92); and,
- (c) That a purchase order be issued to S & S Electrical Services for the installation of 92 decorative light fixtures on John, Hughson and King William Streets within Phase IIIB of the Downtown Action Plan at a total cost of two thousand dollars (\$2,000).
- 13. (a) That the City lands, known as parts 1,2,3,4,5 and 12 on Plan 62R-11790, be incorporated into DiCenzo Drive.
- (b) That the appropriate By-Law to carry out the incorporation of the said lands into DiCenzo Drive be enacted by Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
- 14. (a) That sidewalks be constructed on the east side of Sorrento Place from the north limit of house #35 southerly to Como Drive, and on the west side of Sorrento Place from the north limit of house #40 southerly on Como Drive.  
AMENDED AND CARRIED
- (b) That the Subdivider, Di Cenzo Construction Company Limited, be advised of the limits of the sidewalk installation on Sorrento Place, and be directed to proceed with construction.

15. (a) That the following list be adopted as the Supplementary Program of the 1991 Road and Sidewalk Capital Reconstruction Programme:

- Mt. Albion Road at Albright Road, Traffic Signal Installation
- Barnesdale Boulevard, Dunsmure Road to Main Street
- Rodgers Road, King Street to Central Avenue
- Ashland Avenue, Tenth Avenue to Winchester Boulevard

Supplementary projects, in the order stated above, will be constructed in 1991, provided sufficient funds become available in the 1991 Road and Sidewalk Reconstruction Programme. The priority of projects not constructed in 1991 will be re-evaluated within the 1992 Reconstruction Programme.

- (b) That the Commissioner of Transportation/Environmental services be authorized to undertake the works on behalf of the City of Hamilton once all the necessary approvals have been received.
  - (c) That the construction of concrete sidewalks on Maple Avenue between Ottawa Street and King Street be deleted from the 1991 Road and Sidewalk Reconstruction Programme and added to the 1992 Programme;
  - (d) That the road construction of MacLennan Avenue between Upper Wentworth Street and East 23rd Street not proceed, but rather sidewalk reconstruction and roadway reshaping commence as outlined in the City of Hamilton's 1991 Capital Road and Sidewalk Programme;
  - (e) That the reconstruction of Stirton Street from Wilson Street to Cannon Street not be proceeded with at this time.
  - (f) That the Finance and Administration Committee be requested to recommend the method of financing the above noted additional projects, estimated at \$700,000.
16. That the approval granted by City Council on June 26, 1990 in adopting Item 9 of the 9th Report of the Transport and Environment Committee to close the assumed public alleyway between Hillview Street and Emerson Street south of Ainslie Avenue, be rescinded.



17.
  - (a) That Rymal Road Developments Inc. be required as a condition of severance of land for proposed townhouse units, Part 11 on survey plan (draft reference plan) 90-1143-8 as prepared by Mackay, Mackay & Peters Limited for future Elite Drive from Upper Wentworth to approximately 75 metres east of Upper Wentworth Street and that the applicant's solicitor shall prepare the deed, satisfactory to the Regional Surveyor, register the deed and certify title to the city of Hamilton in a form satisfactory to the Law Department.
  - (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to prepare the necessary By-Law to incorporate Part 11 into Elite Drive.
  - (c) That application be made to the Region for approval to establish Elite Drive from approximately 75 metres east of Upper Wentworth Street to Upper Wentworth Street, as a public highway pursuant to section 48(3) of the Regional Municipality of Hamilton-Wentworth Act. (Upper Wentworth-Regional Road No. 167)
18. That the applications to retain inadvertent encroachments and install temporary encroachments at the locations outlined in Appendix "C", be approved during the pleasure of Council provided:
  - (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environment Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
  - (c) That the first year fee and subsequent annual fee outlined in Appendix "C" be set for these encroachments. **AMENDED AND CARRIED**

19. That City Traffic **By-Law 89-72** be amended as follows:

- (a)
  - i. That east and westbound traffic on Sanatorium Road be required to stop at the intersections of West 22nd Street, West 24th Street, West 26th Street and West 32nd Street.
  - ii. That the City Council recommend to the Regional Council that a traffic signal not be installed at the intersection of Sanatorium Road and Garth Street at this time; and
- (b) That northbound traffic on Oak Avenue be required to stop for eastbound and westbound traffic on Birge Street; and
- (c) That eastbound traffic on Northgate Drive be required to stop for northbound and southbound traffic on Moxley Drive; and
- (d)
  - i. That four-way stop control be implemented at the intersection of Dundonald Avenue and Erindale Avenue; and
  - ii. That northbound traffic on Aberfoyle Avenue be required to stop for eastbound and westbound traffic on Montrose Avenue; and
- (e) That three-way stop control be implemented at the intersection of Kentley Drive and Nugent Drive; and
- (f) That a "No Stopping" regulation be implemented on the west side of Dunn Avenue commencing at Brampton Street and extended to a point 75 feet northerly therefrom; and
- (g) That a "Two Hour Parking Time Limit, 7:00 a.m. to 9:00 p.m., seven days a week" regulation be implemented on the south side of Maplewood Avenue between Lorne Avenue and Norway Avenue; and
- (h) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation and "Alternate Side Parking" regulation on West 35th Street between Bendamere Avenue and the south end be replaced with a "No Parking, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation on both sides of the street; and



- (i)
  - i. That the existing "Permit Parking" regulation on the south side of Colbourne Street between MacNab Street and Severn Street be shortened such that the regulation commences at a point 94 feet east of MacNab Street and extends to Severn Street; and
  - ii. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Colbourne Street commencing at MacNab Street and extending to a point 94 feet easterly therefrom; and
  - iii. That the maximum number of permits to be issued to residents of Colbourne Street between MacNab and Severn Streets be reduced from six to three; and
- (j) That parking be permitted on the west of Mount Albion Road between Kingswood Drive and a point 165 feet south of Glencastle Drive between the hours of 7:00 a.m. and 2:00 a.m. on Saturdays and Sundays; and
- (k)
  - i. That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the west side of West 34 Street from Bendamere Avenue to a point 333 feet northerly therefrom be extended such that the regulation extends to a point 456 feet north of Bendamere; and
  - ii. That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the east side of West 34 Street from Bendamere Avenue to a point 330 feet northerly therefrom be extended such that the regulation extends to a point 463 feet north of Bendamere; and
- (l) That the existing one hour parking time limit in the meters on the north side of Jackson Street East between Catharine Street and Walnut Street be replaced with a two hour parking time limit; and
- (m) That the existing "No Stopping, Wheelchair Loading Only, 10:00 a.m. to 6:30 p.m., 7 days a week" regulation on the east side of East 22nd Street commencing at a point 321 feet north of Fennell Avenue and extending to a point 25 feet northerly therefrom, be revised such that the regulation is in effect from 10:00 a.m. to 8:00 p.m., seven days a week; and

- (n) That a "No Stopping", 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the east side of East 25th Street commencing at Franklin Road and extending to a point 90 feet southerly therefrom; and
- (o)
  - i. That stopping prohibited on the east side of Templemead Drive from Everest Street to a point 82 feet northerly therefrom; and
  - ii. That stopping be prohibited on the east side of Templemead Drive from Everest Street to a point 64 feet southerly therefrom; and
- (p) That a "No Stopping" corner clearance be implemented on the north side of Dallas Avenue commencing at East 36th Street and extending to a point 49 feet easterly therefrom; and
- (q) That a "No Stopping" corner clearance be implemented on the north side of Main Street East commencing at Delena Avenue and extending to a point 111 feet westerly therefrom; and
- (r)
  - i. That Glencarry Avenue be operated one-way southerly from King Street East to a point 94 feet northerly therefrom; and
  - ii. That stopping be prohibited on the east side of Glencarry Avenue from King Street East to a point 114 feet northerly therefrom; and
  - iii. That stopping be prohibited on the west side of Glencarry Avenue from King Street East to a point 124 feet northerly therefrom; and
- (s) That in accordance with the request by the Hamilton Street Railway Company the following bus stop relocation be approved:

Route 4 Bayfront/Nash

Southbound - Quigley Road, west side, from 104 feet south of the south curb line of Albright Road (F/S) to 49 feet north of the north curb line of Albright Road (N/S).



20. (a) That, in accordance with Section 70 of the Police Act, the following persons be appointed as Parking Control Officers:
- Mr. Uriel Thompson  
Mr. Laurence Cardinal
- (b) That the previous list of personnel appointed as Parking Control Officers be revised by deleting the following names:
- Mr. John Tyne  
Mr. Jack Anthony
21. (a) That the School Crossing Guard presently located at the intersection of Burlington Street and Niagara Street be relocated to Burlington Street and Hillyard Street, subject to the installation of a traffic signal at the intersection of Burlington Street and Hillyard Street; and
- (b) That the Engineering Services Committee of the Regional Council be so advised.
22. That the following recommendations be forwarded to the Ministry of Transportation, Ontario for consideration in the review of the provincial policy on bicycles:
- (a) That the Ministry of Transportation of Ontario undertake studies and review background data to ascertain on a general basis the effects of promoting increased bicycle ridership of different types. Factors to be considered should include public health, roadway safety, energy, mobility and other related matters. The studies should consider the cost/benefit economics of allocating funds to bicycle facilities; and
- (b) That the Ministry of Transportation of Ontario consider providing subsidy for municipalities to undertake detailed studies specific to bicycle usage such as ascertaining the degree to which such usage will benefit municipalities, how to best promote increased bicycle use or planning for new facilities; and
- (c) That the Ministry of Transportation consider revising the existing policy to consider provision of paved shoulders for bicycle use on low-volume highways other than limited-access facilities, subject to criteria to be developed for selection and design; and

- (d) That, to encourage the development of bicycle facilities such as off-street bicycle paths or wider curb lanes within the municipalities, the Ministry of Transportation consider provision of subsidy for the construction and maintenance of such facilities; and
- (e) That the initiative of the Ministry of Transportation of Ontario to pass a mandatory helmet use law be supported, based on the understanding that such a law and the associated cost to cyclists is warranted as (a) the statistical information indicates that such a law will prevent cyclist injuries and (b) adequate enforcement can be achieved; and
- (f) That the Ministry of Transportation adopt a coordinating role to ensure continuity of bicycle routes between adjacent municipalities throughout the Province and consider the creation of a full-time staff position for this duty; and
- (g) That, to encourage commuter cycling, the Province of Ontario consider the feasibility of providing subsidy for employers, schools, etc. who provide secure, weather-proof bicycle storage facilities and/or new or improved change and shower facilities at their establishments; and
- (h) That, where review indicates the need, new or additional educational programs should be developed and implemented in the areas of: helmet use; off-street riding skills; on-street cyclist laws and riding skills; and motor vehicle driver awareness of cyclist rights.

23. That leave be granted to introduce the following Bills:

- (a) **Bill A-49** By-law to Alter Sanatorium Road From West 21st Street to Garth Street.
- (b) **Bill A-50** By-law to Authorize the Sale of the Closed Portions of the First East/West Alleyway South of Main Street East Between Balmoral Avenue and Grosvenor Avenue, Registered Plan No. 586 Designated as Parts 2, 3, 5, 6, 8, and 9 on Plan 62R-10227.



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- (c) **Bill A-51** By-law to Authorize the Sale of the Closed Portions of the First East/West Alleyway South of Concession Street Between East 39th and East 38th Street, Registered Plan 444 Designated as Parts 1, 2, 3, and 4 on Plan 62R-11097.
- (d) **Bill A-52** By-law to Incorporate Parts 1, 2, 3, 4, 5 and 12, Plan 62R-11790 Into DiCenzo Drive.
- (e) **Bill A-53** By-law to Amend By-Law 89-72 to Regulate Traffic.
- (f) **Bill A-54** By-law to Amend By-Law 89-72 to Regulate Traffic.

**RESPECTFULLY SUBMITTED,**

T. Agnello  
Secretary

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

July 25, 1991

Ref: C14-9-91

NOTE: GST IS EXTRA AT 7% TO ALL PRICES

# EQUIPMENT AND LABOUR FOR SNOW REMOVAL 1991-92, 1992-93, 1993-94

## 1) TRUCK MOUNTED SNOW PLOWS, COMPLETE WITH SNOW WING

	Number of Units	Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
HS&M Landscape & Maintenance Div. of Mikori Investments Inc. 1492 Wallace Road Oakville, Ontario L6L 2Y2	1			17' with Wing 35,000 Single axle Ford 8000 1981	\$ 95.00	\$105.00	\$115.00	
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontario L8H 2L8	1			8' blade 1 ton pickup, single axle, '83 Dodge	\$ 45.00	\$ 48.00	\$ 52.00	
Greco Bobcat Service & Concrete 6 Valora Court Hamilton, Ontario L8E 4S5	1			7' blade under 46,000 kg. single axle, 1980 GMC	\$45.00	\$46.00	\$48.00	
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	1			12' wing, single axle 17,500 GVW, 1983 Int. Model 2010A	\$ 70.00	\$ 75.00	\$ 80.00	
	1			14' one way plow 17,500 GVW, 1983 Int. Model 2010A	\$ 70.00	\$ 75.00	\$ 80.00	

APPENDIX "A" as referred to in Section 7 of the TENTH Report of the Transport and Environment Committee



1) TRUCK MOUNTED SNOW PLOWS, COMPLETE WITH SNOW WING Cont'd.

	Number of Units		Make/Model/Year	HOURLY RATE PER TERM			
	<u>Owned</u>	<u>Non-Owned</u>		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Alan Heley 43 Jamie Ann Court Hamilton, Ontario L8W 1Y3		10	8' Blade	\$ 46.00	\$ 46.00	\$ 48.00	
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L8E 3P2		1	10' Blade, single axle, 14,000 GVW Ford L800 1980	\$ 50.00	\$ 53.00	\$ 57.00	
1036		1	10' Blade, Tandem 29,000 GVW Int. 2500 1979	\$ 50.00	\$ 53.00	\$ 57.00	

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2) MOTOR GRADER MOUNTED SNOW PLOW & WING:

A) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$500 and \$1,500 as per Page 4, Item 4. Standby Time a)

	Number of Units	Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
F & S Excavating Ltd. 9 Tamarack Place Stoney Creek, Ontario L8N 2M7	Did not specify - 1			6' Blade, 1990 Toyota 4X4	\$ 43.00	\$ 43.00	\$ 43.00	
	Did not specify - 1			6' Blade, 1988 GMC	\$ 43.00	\$ 43.00	\$ 43.00	

B) HOURLY RATE PER TERM based on number of hours used with NO START UP COST as per Page 5, Item 4. Standby Time b)

	Number of Units	Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
1037 King Paving & Materials Co. Div. of KPM Industries Ltd. 3385 Harvester Road Burlington, Ontario L7R 3Y5	1			14' Blade Unit 1704 1969 Champion	\$104.00	\$106.00	\$108.00	
	1			13' Blade Unit 1706 1970 Champion	\$104.00	\$106.00	\$108.00	
	1			13' Blade Unit 1707 1971 Champion	\$104.00	\$106.00	\$108.00	
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	2			14' Blade Cat 140G	\$154.21	\$158.88	\$163.55	

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2) MOTOR GRADER MOUNTED SNOW PLOW & WING:

C) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$1,000 and \$1,000 as per Page 5, Item 4. Standby Time c)

	Number of Units		Make/Model/Year	HOURLY RATE PER TERM			
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	GST extra
Digit Contractors Ltd. R. R. #2 Binbrook, Ontario L0R 1C0	1		1978 13'6" Blade Champion 740	\$145.00	\$150.00	\$155.00	*
Black Top Enterprises Limited 93 Main Street South Hagersville, Ontario N0A 1H0	1		1975 602-T Champion	\$135.00	\$140.00	\$145.00	
1038			1968 562-T Champion	\$135.00	\$140.00	\$145.00	
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontario L8H 2L8	1		13' Blade Double Axle, 1978 Champion 740	\$135.00	\$145.00	\$152.00	
Bill Price Grader Rentals R. R. #1 Smithville, Ontario L0R 2A0		1	13' Blade, Single Axle, 1966 Austin Western	\$155.00	\$165.00	\$175.00	
		1	13' Blade, Single Axle, 1968 Austin Western	\$155.00	\$165.00	\$175.00	

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2) MOTOR GRADER MOUNTED SNOW PLOW & WING:

C) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$1,000 and \$1,000 as per Page 5, Item 4. Standby Time c) - Cont'd.

	Number of Units	Owned	Non-Owned	Make/Model/Year	<u>HOURLY RATE PER TERM</u>			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Danbill Equipment Rental Ltd. 12 Whittaker Avenue Grimsby, Ontario L3M 3J1	1			14' Blade 1974 Champion 600	\$147.00	\$154.35	\$162.06	
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L8E 3P2	1			12' Blade Champion 562 1967	\$140.00	\$148.00	\$157.00	

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3) MOTOR GRADER ONLY:A) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$500 and \$1,500 as per Page 4, Item 4. Standby Time a)

NO BIDS

B) HOURLY RATE PER TERM based on number of hours used with NO START UP COST as per Page 5, Item 4. Standby Time b)

	Number of Units	Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
King Paving & Materials Co. Div. of KPM Industries Ltd. 3385 Harvester Road Burlington, Ontario L7R 3Y5	1			14' Blade Unit 1705 1969 Champion	\$104.00	\$106.00	\$108.00	
				13' Blade Unit 1708 1973 Champion	\$104.00	\$106.00	\$108.00	
				13' Blade Unit 1709 1973 Champion	\$104.00	\$106.00	\$108.00	

1040

## JDR Tools &amp; Equipment

495 Arvin Avenue

Stoney Creek, Ontario L8E 2N1 1

Champion 740

\$ 90.00	\$ 94.00	\$ 98.00
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## Delmar Contracting Limited

696 Arvin Avenue

Fruitland, Ontario L0R 1L0 2

14' Blade  
Cat 140G

\$154.21	\$158.88	\$163.55
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3) MOTOR GRADER ONLY:

C) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$1,000 and \$1,000 as per Page 5, Item 4. Standby Time c)

HOURLY RATE PER TERM  
Nov. '91 to Nov. '92 to Nov. '93 to  
April '92 April '93 April '94

Number of Units  
Owned Non-Owned Make/Model/Year

Sisson Construction Limited  
o/a Quigley Contracting  
185 Hendershott Road, P.O. Box 178  
Hannon, Ontario L0R 1P0

12' Blades  
Double Axles  
Cat. Model 14  
Cat. Model 112  
Adams Model 330  
Adams 440  
Champion 562

1  
1  
1  
2  
1

\$118.00 \$126.00 \$135.00

1041

Digit Contractors Ltd.

13'6" Blade  
1961 Cat. 12  
1962 Champion  
1972 Champion  
1962 Champion

1  
1  
1

\$125.00 \$130.00 \$135.00 \* GST extra

Black Top Enterprises Limited  
93 Main Street South  
Hagersville, Ontario N0A 1H0 1

1960  
Cat 12

\$125.00 \$130.00 \$135.00

Wm. Groves Limited  
800 Rennie Street  
Hamilton, Ontario L8H 3R2 1

13' with front  
blade, 1981  
Dodge D600

\$118.00 \$130.00 \$143.00



3) MOTOR GRADER ONLY; Cont'd.

C) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$1,000 and \$1,000 as per Page 5, Item 4. Standby Time c)

	Number of Units	Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontario L8H 2L8	1			13' Blade Double Axle, 1978 Champion 740	\$120.00	\$125.00	\$135.00	
Bill Price Grader Rentals R. R. #1 Smithville, Ontario L0R 2A0	1			12' Blade Double Axle 1968 Cat 8T 1974 Cat 99E 1981 Cat 82V 1972 Cat 70D 1973 Cat 70D	\$127.50	\$135.00	\$142.50	
Danbill Equipment Rental Ltd. 12 Whittaker Avenue Grimsby, Ontario L3M 3J1	1			14' Blades 1980 Champion 562 1968 Champion 562 1968 Champion 560 1972 Wabco 666B	\$128.40	\$137.38	\$146.99	
Workman Excavating 849 Butter Road Ancaster, Ontario L9G 3L1	1			12', 4X4 15 Ton, M.F. 1805 1978	\$104.00	\$108.00	\$112.00	

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3) MOTOR GRADER ONLY: Cont'd.

C) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$1,000 and \$1,000 as per Page 5, Item 4, Standby Time c)

	Number of Units		Make/Model/Year	HOURLY RATE PER TERM			
	<u>Owned</u>	<u>Non-Owned</u>		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L8E 3P2	1		12' Blade Cat 12 1969				
	1		13' Blade Cat 14 1965				
	1		13' Blade Wabco 666 1964				
				\$129.00	\$137.00	\$145.00	

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4) TANDEM REAR AXLE DUMP TRUCKS

	Number of Units	Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Gordon E. Cooper 545 Barnaby Street Hamilton, Ontario L8H 6T8	4			16 yds. Double Axle See list	\$ 44.50	\$ 46.00	\$ 46.50	
Douglas H. Hawkes o/a Lakeview Haulage 54 Seabreeze Crescent Fruitland, Ontario L0R 1L0	4			16 yds. Double Axle See list	\$ 42.00	\$ 43.00	\$ 44.00	
L.M. Enterprises 4794 Ontario Limited Crooks Street Hamilton, Ontario L8R 2Z7	5	6		All 16 yds. except one 14 yd., Double Axles See List	\$ 43.00	\$ 44.00	\$ 45.00	
Black Top Enterprises Limited 93 Main Street South Hagersville, Ontario N0A 1H0	2			14 yds., <sup>3</sup> Double Axle, Int. 1978 Ford 1978	\$ 42.00	\$ 43.00	\$ 44.00	
Keldi Enterprise 2075 Nebo Road, R. R. #2 Mount Hope, Ontario	1	8		20 yds. Double Axle See List	\$ 43.00	\$ 45.00	\$ 47.00	* plus taxes
Leo Stremble 802 Highway #97, R. R. #3 Puslinch, Ontario N0B 2J0	1			20 yds. Double Axle Ford 8000 1988	\$ 46.00	\$ 48.00	\$ 50.00	

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4) TANDEM REAR AXLE DUMP TRUCKS Cont'd.

	Number of Units		Make/Model/Year	HOURLY RATE PER TERM			
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
775686 Ont. Inc. o/a Tri-R-Trucking 500 Green Road North, Unit #801 Stoney Creek, Ontario L8E 3M6 4	3		3 - 16 yds., 4 - 8 yds. Double Axles See List	\$ 44.00	\$ 46.00	\$ 48.00	
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontario L8H 2L3	1		18 yds. Double Axle 1979 Ford 8000 1980 Mack DMM	\$ 46.00	\$ 50.00	\$ 55.00	July 30, 1991
JDR Tools & Equipment 495 Arvin Avenue Stoney Creek, Ontario L8E 2N1 3	3		16 yds. Double Axle See List	\$ 45.00	\$ 48.00	\$ 51.00	
Stockford Haulage 60 Edith Avenue Hamilton, Ontario L8T 4H2	1		24 yds. Double Axle Int. 2674 1983	\$ 38.00	\$ 38.00	\$ 38.00	
J & R Trucking 6285 Regional Road 13, P.O. Box 52 Binbrook, Ontario L0R 1C0	1		19 yds. Double Axle 1989 Ford 8000	\$ 46.00	\$ 48.00	\$ 50.00	



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4) TANDEM REAR AXLE DUMP TRUCKS Cont'd.

Number of Units	Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
				Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Alfonsi Haulage 307 Huxley Avenue South Hamilton, Ontario L8K 2R5	1		17 yds. Double Axle 1980 Int. 51900	\$ 43.00	\$ 44.00	\$ 45.00	
Mike Smrka 118 Main Street North Waterdown, Ontario L0R 2H0	1		16-1/2 yds. Double Axle 1989 Ford L8000	\$ 43.00	\$ 44.00	\$ 45.00	
Alan Heley 43 Jamie Ann Court Hamilton, Ontario L8W 1Y3	7		18 yds.	\$ 46.00	\$ 46.00	\$ 48.00	
Cardi Construction Limited 24 Garden Avenue Stoney Creek, Ontario L8E 2Y9	15		See List	\$ 45.00	\$ 45.00	\$ 45.00	
David Flegg c.o.b. Flegg's Haulage 38 Benson Avenue Hamilton, Ontario L8H 3M9	1		16.2 yds. Double Axle, 1990 Kenworth T450	\$ 47.00	\$ 48.00	\$ 49.00	
Molisan Construction Company Limited 40 Hildegard Drive Hamilton, Ontario L8K 5R9	1		14 cu.yds. Double Axle 1988 Ford 8000	\$ 47.00	\$ 49.00	\$ 51.00	plus GST

4) TANDEM REAR AXLE DUMP TRUCKS Cont'd.

	Number of Units		Make/Model/Year	HOURLY RATE PER TERM			
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	10		14 cu.yds. Double Axle See List	\$ 51.40	\$ 56.07	\$ 60.75	
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L0E 3P2	16	5	15 cu.yds. Double Axle See List	\$ 48.00	\$ 52.00	\$ 56.00	
Pasinato Haulage Ltd. 23 Stone Church Road West Hamilton, Ontario L9B 1A2		50		\$ 41.00	\$ 42.00	\$ 44.00	July 30, 1991
758565 Ontario Limited o/a Mountainview Excavating 908 Ridge Road East Vinemount, Ontario L0R 2G0	1		16 yard Double Axle GMC 1978	\$ 43.00	\$ 44.00	\$ 45.00	
J & M Caucci Concrete Ltd. 38 Cherryridge Close Hamilton, Ontario L8G 4X3	1		18 yards Double Axle Ford 1989	\$ 51.00	\$ 52.00	\$ 53.00	
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	40		18 cu.yds. Double Axle See List	\$ 47.00	\$ 49.00	\$ 51.00	

4) TANDEM REAR AXLE DUMP TRUCKS Cont'd.

	Number of Units		Make/Model/Year	HOURLY RATE PER TERM			
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
G.F. Mason Excavating P.O. Box 6 Fruitland, Ontario L0R 1L0	3		18 cu.yds. Double Axle See List	\$ 47.00	\$ 49.35	\$ 51.80	
Greco Bobcat Service 6 Valore Court Hamilton, Ontario L8E 4S5	2		16 yard Double Axle See List	\$ 49.00	\$ 50.00	\$ 51.00	
Tony & Paul Concrete 2 Hewitson Road Stoney Creek, Ontario L8E 2T4	2		16 & 18 yards Double Axle See List	\$ 51.00	\$ 52.00	\$ 53.00	July 30, 1991
D. Swing Trucking P.O. Box 193 Hannon, Ontario L0R 1P0	2	4	Various yardages Double Axle See List	\$ 42.00	\$ 44.00	\$ 46.00	
Puglisi & Son Haulage Ltd. 524 Upper Kenilworth Avenue Hamilton, Ontario L8T 4H2	2	6	15 ft. Double Axles See List	\$ 44.00	\$ 46.00	\$ 48.00	
Roma Concrete & Paving 2 Hewitson Road Stoney Creek, Ontario L8E 2T4	2		16 cu.yds. Double Axles See List	\$ 51.00	\$ 52.00	\$ 53.00	



5) RUBBER TIRE LOADERS

		Number of Units		Size of Bucket	HOURLY RATE PER TERM			
		Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Molisan Construction Company Limited 40 Hildegard Drive Hamilton, Ontario L8K 5R9		1		1989 Ford 655 1-1/4 cu.yds.	\$ 52.00	\$ 54.00	\$ 56.00 *	plus GST
Cardeen Construction Limited 11 Garden Avenue, Unit #8 Stoney Creek, Ontario L8E 2Y8		8		See List	\$106.00 \$ 66.00 \$ 71.00	\$109.00 \$ 69.00 \$ 74.00	\$114.00 \$ 74.00 \$ 79.00	
Cardi Construction Limited 22 Garden Avenue Stoney Creek, Ontario L8E 2Y9		5		See List	\$ 52.00 \$ 45.00 \$103.00	\$ 55.00 \$ 46.00 \$105.00	\$ 60.00 \$ 47.00 \$107.00	July 30, 1991
Alan Heley 43 Jamie Ann Court Hamilton, Ontario L8W 1Y3			4	1.5 yd.	\$ 57.00	\$ 57.00	\$ 58.00	
O. Ciccarelli & Son Contracting 807 Highway 53 East, R. R. #1 Ancaster, Ontario L9G 3K9		1		'89 Caterpillar 2.5 yd. <sup>3</sup>	\$ 75.00	\$ 77.00	\$ 79.00	
Workman Excavating 849 Butter Road Ancaster, Ontario L9G 3L1		2		1-1/2 yd. <sup>3</sup>	\$ 62.00	\$ 64.00	\$ 66.00	

5) RUBBER TIRE LOADERS Cont'd.

				HOURLY RATE PER TERM			
				Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
		Number of Units		Size of Bucket			
Owned	Non-Owned						
Bill Price Grader Rentals							
R. R. #1							
Smithville, Ontario	L0R 2A0	1	1	1-1/2 yd.	\$ 55.00	\$ 57.50	\$ 60.00
R.C.M. Contracting Ltd.							
54 Pleasant Avenue							
Hamilton, Ontario	L9C 4M7	4		1-1/2 yds.	\$ 44.86	\$ 46.73	\$ 48.60
JDR Tools & Equipment							
495 Arvin Avenue				3 yard	\$ 85.00	\$ 90.00	\$ 95.00
Stoney Creek, Ontario	L8E 2N1	10		1-1/4 yard	\$ 55.00	\$ 58.00	\$ 61.00
Mountsberg Excavating Inc.							
1554 Old Highway 99, R. R. #3							
Dundas, Ontario	L9H 5E3	3		1-1/2 yard	\$ 65.00	\$ 67.50	\$ 70.00
All Around Contracting							
1-473 Melvin Avenue							
Hamilton, Ontario	L8H 2L8	1		1 m <sup>3</sup>	\$ 56.00	\$ 60.00	\$ 65.00
775686 Ont. Inc.							
o/a Tri-R-Trucking							
500 Green Road North, Unit #801							
Stoney Creek, Ontario	L8E 3M6	2		1-1/2 Bucket	\$ 48.00	\$ 50.00	\$ 52.00

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5) RUBBER TIRED LOADERS Cont'd.

HOURLY RATE PER TERM  
Nov. '91 to Nov. '92 to Nov. '93 to  
April '92 April '93 April '94

Number of Units  
Owned Non-Owned Size of Bucket

Angel Excavating Ltd.  
420 Highway #8  
Stoney Creek, Ontario L8G 1G2 1

1-1/2 yard

\$ 52.00

\$ 54.00

\$ 56.00

F & S Excavating Ltd.  
9 Tamarack Place  
Stoney Creek, Ontario L8N 2M7 2

2 yards

\$ 45.00

\$ 45.00

\$ 45.00

Wm. Groves Limited  
880 Rennie Street  
Hamilton, Ontario L8H 3R2 1

1-1/2 yards

\$ 83.00

\$ 91.00

\$ 100.00

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Keldi Enterprise  
2075 Nebo Road, R. R. #2  
Mount Hope, Ontario

3 1-1/4 yards<sup>3</sup>

\$ 55.00

\$ 57.00

\$ 59.00

L.M. Enterprises  
714794 Ontario Limited  
27 Crooks Street  
Hamilton, Ontario L8R 2Z7 2

1-1/2 yards

\$ 55.00

\$ 55.00

\$ 57.00

William Spear  
161 Allenby  
Hamilton, Ontario L9A 2T6 1

1-1/4 yards<sup>3</sup>

\$ 55.00

\$ 57.75

\$ 60.55



5) RUBBER TIRE LOADERS Cont'd.

	Owned	Number of Units Non-Owned	Size of Bucket	HOURLY RATE PER TERM			
				Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	4		4 yards	\$107.48	\$112.15	\$116.82	
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L0E 3P2	2	6	1-1/2 yard <sup>3</sup> 1-1/2 yard <sup>3</sup>	\$ 60.00 \$ 78.00	\$ 64.00 \$ 83.00	\$ 68.00 \$ 88.00	
Digmor Excavating Ltd. 320 Second Road West Stoney Creek, Ontario L8G 3X4	1	1	1-1/2 yard	\$ 54.00	\$ 56.00	\$ 58.00	July 30, 1991
Pasinato Haulage Ltd. 213 Stone Church Road West Hamilton, Ontario L9B 1A2		1	Front Blower 1-1/2 yd.	\$ 55.00	\$ 56.00	\$ 58.00	
Bill Wilcockson Trenching 182 East 19th Street Hamilton, Ontario L9A 4S5		1	1-1/2 yards	\$ 57.50	\$ 58.50	\$ 59.50	
758565 Ontario Limited o/a Mountainview Excavating 908 Ridge Road East Vinemount, Ontario L0R 2G0		2	Various sizes 24"	\$ 55.00	\$ 57.00	\$ 59.00	

5) RUBBER TIRE LOADERS Cont'd.

HOURLY RATE PER TERM  
Nov. '91 to Nov. '92 to Nov. '93 to  
April '92 April '93 April '94

Number of Units  
Owned Non-Owned Size of Bucket

J & M Caucci Concrete Ltd. 38 Cherryridge Close Hamilton, Ontario L8G 4X3	1		1 yard	\$ 57.00	\$ 58.00	\$ 59.00
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	15		3 yard <sup>3</sup> 1.5 yard <sup>3</sup>	\$ 92.00 \$ 62.00	\$ 97.00 \$ 67.00	\$ 102.00 \$ 72.00
1 G.F. Mason Excavating P.O. Box 6 Fruitland, Ontario L0R 1L0	1 3		3-1/2 yd.Bucket 1-1/8 yd.Bucket	\$ 85.00 \$ 58.00	\$ 89.25 \$ 61.00	\$ 93.70 \$ 64.00
Greco Bobcat Service 6 Valore Court Hamilton, Ontario L8E 4S5	1		1 Yard	\$ 59.00	\$ 60.00	\$ 61.00
Tony & Paul Concrete 6 Hewitson Road Stoney Creek, Ontario L8E 2T4	1		1 Yard	\$ 57.00	\$ 58.00	\$ 59.00
D. Swing Trucking P.O. Box 193 Hannon, Ontario L0R 1P0	2		1-1/2 yds.	\$ 46.00	\$ 48.00	\$ 50.00

July 30, 1991

5) RUBBER TIRE LOADERS Cont'd.

	Number of Units		Size of Bucket	HOURLY RATE PER TERM		
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Roma Concrete & Paving 2 Hewitson Road Stoney Creek, Ontario L8E 2T4	1		1 Yard	\$ 57.00	\$ 58.00	\$ 59.00

July 30, 1991



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6) WHEELED SIDEWALK CLEANER WITH BLADE LESS THAN 5'

	Number of Units		Size of Blade	HOURLY RATE PER TERM			
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Artek 617180 (Wayne Gater) 250 Kemp Road West Grimsby, Ontario L3M 4E7	5		5'	\$ 58.00	\$ 61.00	\$ 64.00	
O. Ciccarelli & Son Contracting 807 Highway 53 East, R. R. #1 Ancaster, Ontario L9G 3K9	1		48" 60"	\$ 45.00	\$ 46.00	\$ 47.00	
Workman Excavating 849 Bader Road Ancaster, Ontario L9G 3L1	1	1	4' Blade or Snowblower 5'	\$ 62.00	\$ 64.00	\$ 66.00	
R.C.M. Contracting Ltd. 54 Pleasant Avenue Hamilton, Ontario L9C 4M7	2		4-1/2' bucket	\$ 41.12	\$ 42.99	\$ 44.86	
JDR Tools & Equipment 495 Arvin Avenue Stoney Creek, Ontario L8E 2N1	1			\$ 52.00	\$ 55.00	\$ 58.00	
Harold J. Martin o/a Crescan Landscape Contractors P.O. Box 4056, Station D Hamilton, Ontario L8V 4L5	2	1	See List	\$ 50.00	\$ 54.00	\$ 58.00	

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6) WHEELED SIDEWALK CLEANER WITH BLADE LESS THAN 5' Cont'd.

HOURLY RATE PER TERM  
Nov. '91 to Nov. '92 to Nov. '93 to  
April '92 April '93 April '94

Number of Units  
Owned Non-Owned Size of Blade

775686 Ont. Inc. o/a Tri-R-Trucking 500 Green Road North, Unit #801 Stoney Creek, Ontario L8E 3M6 1	1	60"	\$ 44.00	\$ 45.00	\$ 46.00
Keldi Enterprise 2075 Nebo Road, R. R. #2 Mount Hope, Ontario	1	4'11"	\$ 45.00	\$ 47.00	\$ 49.00
105 TS&M Landscape & Maintenance Div. of Mikori Investments Inc. 1 1492 Wallace Road 1 Oakville, Ontario L6L 2Y2 1		48" or 60" 48" 32"	\$ 38.00 \$ 30.00 \$ 25.00	\$ 42.00 \$ 34.00 \$ 28.00	\$ 47.00 \$ 38.00 \$ 30.00
851694 Ontario Inc. o/a Battlefield Bobcat Service 367 Hemlock Avenue Stoney Creek, Ontario L8E 2C9 2		59"	\$ 46.00	\$ 47.00	\$ 48.00
William Spear 161 Allenby Hamilton, Ontario L9A 2T6 1		4'11"	\$ 45.00	\$ 47.25	\$ 49.65

July 30, 1991

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6) WHEELED SIDEWALK CLEANER WITH BLADE LESS THAN 5' Cont'd.

		Number of Units		HOURLY RATE PER TERM			
		Owned	Non-Owned	Size of Blade	Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Bill's Snow Plowing 80 Robinson Street, Suite 203 Hamilton, Ontario L8P 1Z1		2		4'8" Blade and Bucket	\$ 50.00	\$ 50.00	\$ 53.00
Triple "G" Fencing & Landscaping 1592 Upper Gage Hamilton, Ontario L8W 1E7			2	Skid Steer Loaders Bucket or Blade 54" & 60"	\$ 48.00	\$ 49.00	\$ 50.00
10 Sanset Landscape Construction Ltd. P.O. Box 7045 Ancaster, Ontario L9G 3L3		2		54"-60"	\$ 48.00	\$ 52.00	\$ 56.00
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0		20		Blade & Bucket 54"-60"	\$ 60.00	\$ 65.00	\$ 70.00
Greco Bobcat Service 6 Valore Court Hamilton, Ontario L8E 4S5		1		5'	\$ 51.00	\$ 52.00	\$ 53.00

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7) WHEELED SIDEWALK CLEANER WITH BLOWER

	<u>Number of Units</u>		<u>Size of Bucket</u>	<u>HOURLY RATE PER TERM</u>			
	<u>Owned</u>	<u>Non-Owned</u>		<u>Nov. '91 to April '92</u>	<u>Nov. '92 to April '93</u>	<u>Nov. '93 to April '94</u>	
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	20		8' Blade, V8 4X4 Trucks	\$ 49.00	\$ 53.00	\$ 57.00	

8) TRACK SIDEWALK CLEANER WITH BLADE LESS THAN 5'

HOURLY RATE PER TERM  
Nov. '91 to Nov. '92 to Nov. '93 to  
April '92 April '93 April '94

Number of Units  
Owned Non-Owned Size of Bucket

Benny Haulage Limited  
66 Hillyard Street  
Hamilton, Ontario L8L 6B4 1

1978 5'

\$ 68.00	\$ 73.00	\$ 78.00
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741806 Ont. Inc.  
o/a Blizzard Snow Plowing  
669 Beach Blvd.  
Hamilton, Ontario L8H 6X8 1

1974 48"

\$ 50.00	\$ 52.00	\$ 55.00
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July 30, 1991

Bill's Snow Plowing  
80 Robinson Street, Suite 203  
Hamilton, Ontario L8P 1Z1 3

1974/5  
4'8"

\$ 50.00	\$ 50.00	\$ 53.00
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E. Woytkiw Haulage Ltd.  
P.O. Box 235  
Hannon, Ontario L0R 1P0 4

54"

\$ 68.00	\$ 73.00	\$ 78.00
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9) TRACK SIDEWALK CLEANER WITH BLOWER NO BIDS

10) MISCELLANEOUS EQUIPMENT

		Number of Units		HOURLY RATE PER TERM			
		Owned	Non-Owned	Details	Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Cardeen Construction Limited 11 Garden Avenue, Unit #8 Stoney Creek, Ontario L8E 2Y8	1			Cat D7 1988 Blade with Cab Hi Track	\$ 95.00	\$ 98.00	\$103.00
Cardi Construction Limited 24 Garden Avenue Stoney Creek, Ontario L8E 2Y9	1			Track Loaders Cat 953 1985 Cat 963 1987	\$ 79.00	\$ 81.00	\$ 83.00
Workman Excavating 849 Butter Road Ancaster, Ontario L9G 3L1	1 1 1			Int.1066 1980 140 HD 8' Snowblower MF 1185 1978 140 HD 8' Snowblower GMC 2500 1989 Pickup 4x4 8' Blade	\$100.00 \$100.00 \$ 60.00	\$104.00 \$104.00 \$ 62.00	\$108.00 \$108.00 \$ 64.00
Bill Price Grader Rentals R. R. #1 Smithville, Ontario L0R 2A0	1			1991 Dodge Truck complete with rev. plow, 4X4, 1 ton dual wheels	\$ 40.00	\$ 42.50	\$ 45.00
R.C.M. Contracting Ltd. 54 Pleasant Avenue Hamilton, Ontario L9C 4M7	1 1 1			GMC 3/4 Ton 1985 4 Way Angle Blade Jeep 4X4 1989 4 Way Angle Blade Jeep 4X4 1988 4 Way Angle Blade	\$ 37.38	\$ 39.25	\$ 41.12
JDR Tools & Equipment 495 Arvin Avenue Stoney Creek, Ontario L8E 2N1	7			JD 450 Dozer 6 way Blade JD 550 Dozer 6 way Blade JD 750 Dozer	\$ 61.00 \$ 62.00 \$ 78.00	\$ 64.00 \$ 65.00 \$ 80.00	\$ 67.00 \$ 68.00 \$ 82.00



10) MISCELLANEOUS EQUIPMENT Cont'd.

	Number of Units Owned	Non-Owned	Details	HOURLY RATE PER TERM			
				Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	July 30, 1991
Harold J. Martin o/a Crescan Landscape Contractors P.O. Box 4056, Station D Hamilton, Ontario L8V 4L5	2	1	'88/89 3/4T 4X4 with 7-1/2' Western Plow '88/89 Gravelly 5400 12 hp with 48" blade or 39" snow thrower	\$ 50.00	\$ 54.00	\$ 58.00	
	2			\$ 32.00	\$ 35.00	\$ 39.00	
Wm. Groves Limited 800 Rennie Street Hamilton, Ontario L8H 3R2	1		Ford 555A 1985 Loader/Backhoe	\$ 77.00	\$ 85.00	\$ 84.00	
106 Keldi Enterprise 2075 Nebo Road, R. R. #2 Mount Hope, Ontario	1		'78 Jimmy 4X4 7-1/2' Blade	\$ 43.00	\$ 45.00	\$ 47.00	
	1		'75 Chev 1 ton 4X4 8-1/2' Blade	\$ 43.00	\$ 45.00	\$ 47.00	
		4	On request	\$ 43.00	\$ 45.00	\$ 47.00	
L.M. Enterprises 714794 Ontario Limited 27 Crooks Street Hamilton, Ontario L8R 2Z7	1		'90 Bobcat 743 5' bucket	\$ 45.00	\$ 56.00	\$ 47.00	
HS&M Landscape & Maintenance Div. of Mikori Investments Inc. 1492 Wallace Road Oakville, Ontario L6L 2Y2	3		1 ton 8' Arctic Plow & 2 yd. Sanding Unit '89/'90/'91	\$ 40.00	\$ 45.00	\$ 50.00	

10) MISCELLANEOUS EQUIPMENT Cont'd.

	Number of Units Owned	Non-Owned	Details	HOURLY RATE PER TERM			
				Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	Nov. '93 to April '94
Bill's Snow Plowing 80 Robinson Street, Suite 203 Hamilton, Ontario L8P 1Z1	2		Ford 4X4 Power Angle Plow '80/'87	\$ 50.00	\$ 50.00	\$ 53.00	
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	3		Rubber Tire Backhoes '87/'90	\$ 88.79	\$ 93.46	\$ 98.13	
18 Sunset Landscape Construction Ltd. P.O. Box 7045 Ancaster, Ontario L9G 3L3	1		'88 GMC 1 Ton 8' Blade	\$ 48.00	\$ 52.00	\$ 56.00	
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	2		Single axle 10 cu.yd. dump sander with spinners, equiv. to City sanders '83 Intern/2010A	\$ 70.00	\$ 75.00	\$ 80.00	

July 30, 1991

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## CRITERIA FOR INDUSTRIAL ROADSIDE BEAUTIFICATION PROGRAM - JULY 1991

This program is offered to beautify the city owned portion of industrial roadside areas on a 50/50 cost share of the initial capital cost providing the adjacent property owner enters into an agreement with the City of Hamilton to maintain the landscaping.

### Criteria

#### **Design**

1. Applicant must submit design plan to Public Works, Parks Horticulture with 2 cost estimates for beautification on road allowance.
2. Design to include all overhead and underground utility locates.
3. Must comply with City by-laws.
4. No electric receptacles or lights will be affixed to trees.
5. Parks Horticulture will approve design.

#### **Estimates and Maintenance**

1. Estimates to include 1 year warranty on installed plant material.
2. All plant material installed to be maintained by property owner, including: watering, fertilizing, weeding, insect and disease control.
3. All trees planted on the road allowance become the responsibility of the Public Works Department and will be scheduled for trimming in Grid Program.
4. Any replacement trees required will be cost shared between the property owner and the City on a 50/50 cost share basis.
5. Architecturally designed signage to be developed and displayed.  
ie: "This roadside beautification project has been undertaken  
jointly by firm name and the City of Hamilton,  
Public Works Department.



July 30, 1991

### Approval

1. Recommendation Report to the Transport and Environment Committee specifying selected addresses for program based on the date received by the Public Works Department.
2. Upon Council approval, Property owner may proceed with design installation.
3. Upon completion of project, the Public Works Department will inspect site and recommend entering into the agreement whereby the adjacent property owner will be responsible for the maintenance of the landscaping.
4. Upon completion of the agreement which is to be registered on title by the property owner, the Public Works Department will approve release of 50% of the capital cost.

PSU/rb

Council Date: July 30, 1991

# Appendix "C"

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>Fees 1st Year/Annual</u>	<u>File No.</u>
15 West Ave N	areaway encroaches onto West Ave. N. by 4.0'x14.4'	Lewis, Brown Scarfone, Fernihough Brown P.O.Box 926 Station 'A' Toronto L8N 3P9	\$230.00/\$106.40	T103-50(924)
182 Rebecca St.	planter boxes encroach onto Rebecca St. by 1.2m x 5.2m	J. Beume Real Estate, 100 Adelaide St. W. Suite 803 Toronto	\$230.00/\$46.00	T103-50(933)
1 Vine St.	2 wheel chair ramps and steps encroach by 1.0m x 20.4m	J. Beume Real Estate, 100 Adelaide St. W. Suite 803 Toronto	\$48.00/20.00	T103-50(932)
101-101 Ferris St.	enclosed porch and steps encroach onto Ferris St. by 3.6' x 14.8'	Misir, Burch 880 St. Clair Ave. W. Toronto M6C 1C5	\$125.00/20.00	T103-50(931)
178 Napier St.	frame veranda measuring approximately 3.08' x 25.81'	Simpson & Watson Barristers & Solicitors 950 King Street W. Hamilton L8S 1K8 L8S 1K8	\$132.00/20.00	T103-50(927)
190 King William	a) a canopy measuring 1.0m x 4.30m b) paved layby measuring 3.0m x 32.40m both encroaching onto King William St. c) landscaping measuring encroaching onto Ferguson Avenue by 3.0m x 40.0m d) concrete and interlocking paving stones encroach onto Ferguson Ave. and King William Street by 2.5m x 56.5m and 5.0m x 69.5m respectively	Peter Mandia 255 West Ave. N.	\$132.00/\$20.00	T103-50(884)

Appendix "C" as referred to in Section 18 of the TENTH Report for 1991 of the Transport and Environment Committee

July 30, 1991

Council Date: July 30, 1991

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year Fees/Annual</u>	<u>File No.</u>
355 MacNab St. North	wooden steps encroach by 0.162m x 4.88m	Evans Philip Barristers and Solicitors 1 King St. W. Hamilton, Ont.	\$216.00/20.00	T103-50(750)
58 Breadalbane Street	wooden porch encroaches 0.23m x 9.1m	Cynthia Camppling 100 Main St. E. Hamilton L8N 3W6	\$132.00/20.00	T103-50(959)
18-24 James Street South	I) concrete ramp encroaches appr. 6.5m x 9.0m II) 6 planters encroach onto MacNab Street S. by appr. 0.75m x 0.75m each	Grindstone Properties 1120 P.O. Box 1120 Waterdown Ont. L0R 2H0	\$185.00/120.00	T103-50(938)



July 30, 1991

## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **ELEVENTH** Report for 1991 and respectfully recommends:

1. That approval be given to the action taken by the Transport and Environment Committee in approving the application of Mr. T. Farrar, agent for Cycle Hamilton (244 Jackson Street West, Hamilton L8P 1M5) to temporarily close the following City Streets on Sunday July 28, 1991 from 1:30 p.m. to 5:30 p.m. to hold a Cycle Race:
  - i. Claremont Drive West 5th Street to Arcade Crescent
  - ii. Arcade Crescent from Claremont Drive to Gateview Drive
  - iii. Gateview Drive from Arcade Crescent to Cloverhill Road
  - iv. Cloverhill Road from Gateview Drive to Brantdale Street
  - v. Brantdale Street from Cloverhill Road to West 5th Street
  - vi. Hunter Street from Bay Street to Park Street
  - vii. Park Street from Hunter Street to Herkimer Street

be approved; subject to the following conditions:

- (a) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
- (b) That advance temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways and at the expense of the organizing group.
- (c) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City;

July 30, 1991

- (d) That the applicant provide proof of \$2,000,000 public liability insurance naming the City as an added insured party with a provision for cross liability, and holding the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
- (e) That the applicant reimburse the Regional Police, Transportation/Environmental Services, City of Hamilton, Traffic Department and any other agency for any costs incurred by these agencies as a result of this event;
- (f) That no property owner or resident within the barricaded area be denied access to their property upon request.
- (g) That all property owners and tenants along the closed portion of the route be notified of the bicycle race by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

**RESPECTFULLY SUBMITTED,**

T. Agnello  
Secretary

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

July 25, 1991

July 30, 1991

## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FOURTEENTH** Report for 1991 and respectfully recommends:

1. That the Mayor write to the Minister of Culture and Communications to commend him for the recent budget increase of \$7.5 million to the Ontario Arts Council.
2.
  - (a) That the proposed Hamilton Dance Festival Adjudication and Gala 1991 for the Hamilton-Wentworth Region co-ordinated by the Department of Physical Education, McMaster University, with the support of the Hamilton Regional Arts Council and the Hamilton Ballet School, be endorsed;
  - (b) That the City of Hamilton provide a grant in the amount of \$1,275.00 to support this Festival; and,
  - (c) That the funds for this grant be provided from Account No. CH55324-70005 within the Department of Culture and Recreation's approved 1991 Budget.
3. That Ms. Delores Pendergast be appointed to serve on the Arts Advisory Sub-Committee for a term to expire 1991 November 30.
4. That a purchase order be issued to 877138 Ontario Inc., o/a Bud's Contracting, Stoney Creek, in the amount of \$56,463.90, including all taxes, plus a contingency allowance of \$7,000.00 to construct a parking lot and landscaping at Sam Manson Park, being the lowest of eleven quotations received, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed through Sam Manson Park Account No. CF629154004.



July 30, 1991

5. That the action of the Director of Public Works to transfer \$47,405.28 from Account No. CF5201 6238945001, Reconstruction of Chedoke Parking Lot to Account No. CF5200 629154004 Reconstruction of King's Forest Parking Lot and award the work to King Paving and Materials so that the parking lot could be asphalted to eliminate the dust problem, be approved.
6. That approval be given to Inch Park Baseball Association to sell liquor at their fund raising dance scheduled to take place at the Inch Park Ice Pad on Friday, August 23, 1991 subject to the following terms and conditions:
  - (i) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (ii) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (iii) That the applicant assume responsibility for clean up and all labour related costs as a result of this event.
  - (iv) That the rental fee of \$168.55 be waived for this event.
  - (v) That the appropriate financial statement be submitted following this event.
7. That the Hester Street Bocce Association be granted permission to have alcoholic beverages on the premises on the occasion of their picnic, to be held Sunday, August 11, 1991 at Dundurn Park, subject to the following terms and conditions:
  - (a) That the applicant assume responsibility for all labour related charges associated with the event (set-up, clean-up, etc.).
  - (b) That alcoholic beverages be served in the confined area of the pavilion.
  - (c) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.

- (d) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.

Recorded Vote:

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -12.

NAYS: Alderman Jackson. -1.

**CARRIED.**

8. (a) That the Parks and Recreation Committee endorse the sale of alcoholic beverages by the Greek-Canadian Church, on Church property only and in conjunction with their annual Greek Fest to be held August 16, 17, and 18, 1991.
- (b) That permission be given to the organizers to erect a tent on Inch Park for the purpose of cooking and selling food and to provide an area for entertainment and dancing subject to the following terms and conditions:
- (i) That approval be received from the Health and Fire Departments for arrangements for the sale of food and refreshments.
  - (ii) That proof of \$2 million Public Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (iii) That police security, satisfactory to the Hamilton-Wentworth Regional Police, be provided.
  - (iv) That precaution be taken by the organizers to ensure the grounds are not damaged and financial restitution be made to the City for any damage that may occur.
  - (v) That all City costs over and above the norm, incurred as a result of this event be paid by the applicant.

July 30, 1991

- (vi) That permission be granted to park 100 vehicles on Inch Park, in an area approved by the Parks Division.

Recorded Vote:

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -12.

NAYS: Alderman Jackson. -1.

**CARRIED.**

9. That approval be granted of the action taken by the Director of Culture and Recreation in approving the request by the Regional Municipality of Hamilton-Wentworth to use Pier 4 Park, Eastwood Park and Bayview Park to host Amstel's Greater Hamilton Aquafest, July 26, and July 27, 1991 subject to the following terms and conditions:
- (a) That insurance, in the amount of \$2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability and 30 days notice of cancellation, be provided.
  - (b) That the appropriate insurance be in place related to the City's interests, particularly related to non-owned watercraft, automobiles and hot air balloon activities.
  - (c) That all requirements of the Liquor Licence Board of Ontario are met.
  - (d) That the Region assume responsibility for all labour-related costs as a result of this event.

Recorded Vote:

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -12.

NAYS: Alderman Jackson. -1.

**CARRIED.**



10. That the Citizens group represented by the firm of Turkstra, Mazza, Shinehoft, Mihailovich in organizing a non-profit, charitable foundation to aid in developing, protecting and improving recreational parklands in the City of Hamilton be permitted use of the word "Hamilton" in the name of the foundation - Hamilton Parks Foundation.
11. That the report of the Commissioner of Planning and Development attached herewith as Appendix "A", be forwarded to the Consultant who will be undertaking the Parks Masterplan Study for a review of possible revenue producing strategies for parkland acquisition.
12. (a) That approval of \$20,000.00 be given to proceed with the appointment of an architect, through the tendering and selection process, to provide full architectural and engineering services in the design, contract documentation and administration of construction of a new club house for the Hamilton Tennis Club. To be funded out of the \$300,000.00 approved in the 1991 - 1995 Capital Budget.  
  
(b) That a contract be entered into satisfactory to the City Solicitor.
13. That the amount of \$35,338.00 be paid to Symroy Corporation Limited and Marvin Wasserman to purchase the remaining parkland credit balance of 953.42 square metres (0.2355 acre) for lands conveyed to the City in the Rexford Heights, Phase 2 Plan of Subdivision, subject to the owners executing a Release Agreement in a form satisfactory to the City Solicitor. The cost is to be charged to Account No. CH5X306 00201 (Reserve for Acquisition of Parkland).

14. (a) That the Option to Purchase Agreement duly executed by the owner, the Estate of Solomon Wasserman on June 19, 1991 and scheduled for closing on September 19, 1991, be approved and completed. Said property being described as part of Lot 12, Concession 7, formerly in the Township of Barton, being more particularly described as Blocks 142 and 143 on Proposed Plan of Subdivision known as Rose Gardens as prepared by A. J. Clarke and Associates Ltd., being located on the south side of Sirente Drive and comprising of 4.427 acres, more or less. The purchase price of \$1,221,675.00 is to be charged to Account No. CH5X306 00201 (Reserve for Acquisition of Parkland).
- (b) That it is understood and agreed by both parties that upon the completion of this transaction, the Purchaser (City) will advance one half (1/2) the purchase price, namely \$608,712.50 plus legal fees amounting to \$4,250.00, with the remaining one half (1/2) paid out to the Vendor by the Purchaser on January 2, 1992.
- (c) That the Mayor and City Clerk be authorized to execute all required agreements.
15. That the Property Department be directed to enter into negotiations with the Hamilton Board of Education to complete the necessary transactions required for the exchange of lands which are of equal size between the City of Hamilton and the Board of Education thereby completing the amalgamation of William Connell Park.
16. That \$15,000.00, the funding necessary to construct provision for sixteen (16) additional wheelchair areas in the north stands Box "K", Ivor Wynne Stadium (near the wheelchair designated washrooms), be considered during the 1992 - 1996 Capital Budget.
17. That the concept plans attached hereto as Appendix "B" for McLaren Park prepared by Victor Ford and Associates, Landscape Architects in concert with the Central/Beasley Citizens' Advisory Committee and Regional and City staff for the Central/Beasley P.R.I.D.E. Programme, be approved in order that the Consultant can proceed with the preparation of detailed plans, specifications and tender documents at an estimated cost of one hundred and fifty thousand dollars (\$150,000.00) so that construction may proceed in the fall of 1991.

July 30, 1991

18. (a) That the existing F.T.E. position of Superintendent of Park Maintenance be eliminated and the associated job functions be placed under the jurisdiction of the Co-ordinator of Park Development and the Superintendent of Park Development.
- (b) That a new position of Park Operations Technical Assistant be created through the attrition of an existing Truck Driver/Labourer position.

**Respectfully Submitted,**

**T. Agnello**  
**Acting Secretary**

**ALDERMAN T. MURRAY, CHAIRMAN**  
**PARKS AND RECREATION COMMITTEE**

**1991 July 23**



July 30, 1991

RESULTS OF MUNICIPAL SURVEY

Type of Development	Method of Implementing Section 41 of Planning Act	No. of Municipalities Implementing Method	Comments
New Residential Development (Plan of Subdivision)	- 5% land or .5 (or 1) ha per 300 units - 5% cash-in-lieu - 5% cash-in-lieu based on frontages	8 <sup>a</sup> 10 1 1	- 'Brampton may require a lot in subdivision whose value does not exceed 5% value of development. This lot is then sold at a future date, money put in park fund. - Toronto requires 5% for high and medium development, 2% for low density development. - 'Waterloo requires cash-in-lieu. - 'Does not apply to subdivisions.
Residential Land Severances	- 5% cash-in-lieu (only applies to new lot, remnant lot is exempt) <sup>a</sup>	3	
Residential Redevelopment <sup>a</sup>	- 5% land - 5% cash-in-lieu	9 9	- 'only if new unit is created - paid on a per unit basis - alterations that increase usability of site subject to fee - new units replacing equal number of old units are exempt - calculated by proportion of new development to total lot (development)
New Commercial/Industrial Development	- 2% land - 2% cash-in-lieu - combination of land and cash-in-lieu	9 9 9	- Etobicoke exempts site smaller or equal to 1/2 acre - Burlington requires cash unless otherwise specified - Toronto excludes Industrial development

Appendix "A" as referred to  
in Section 12 of the  
FOURTEENTH Report of the  
Parks and Recreation  
Committee

July 30, 1991

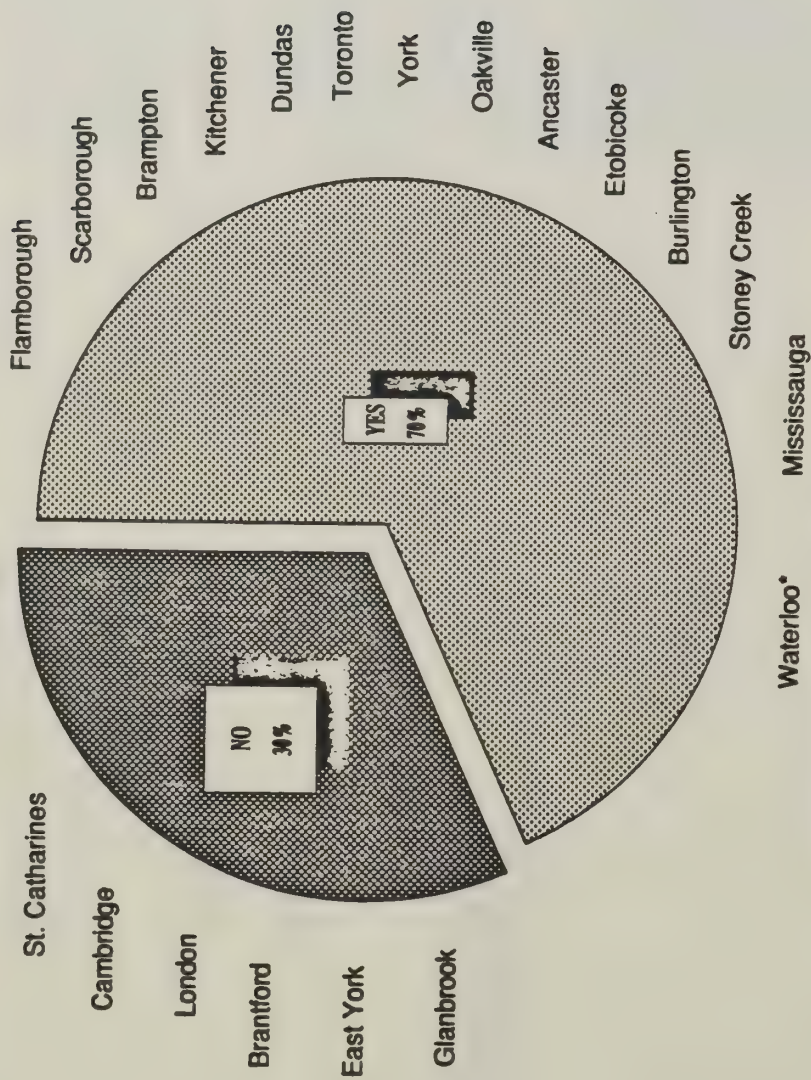
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<u>Type of Development</u>	<u>Method of Implementing Section 41 of Planning Act</u>	<u>No. of Municipalities Implementing Method</u>	<u>Comments</u>
Commercial/Industrial Redevelopment	- 2% land - 2% cash-in-lieu	8 9	<ul style="list-style-type: none"> <li>- calculated as new GFA = Portion of site for 2% Total GFA Total site</li> <li>- additions less than 10,000 sq. ft. (929 m<sup>2</sup>) G.F.A. exempt (Etobicoke)</li> <li>- additions less than 200 m<sup>2</sup> G.F.A. exempt (Toronto)</li> <li>- alterations that change the usability of a building are subject to 2%.</li> <li>- cash-in-lieu for additions is based on area four times added floor space (Waterloo)</li> <li>- payment for alterations only when there has been no previous parkland dedication (Waterloo)</li> <li>- Waterloo requires a park to be fully developed before ownership is transferred to City. There is a cash-in-lieu of Parkland dedication levy if developer pays cash-in-lieu of parkland only part of addition that is new (extra GFA) is subject to 2%.</li> </ul>

Note: The following ten municipalities were sampled:  
Brampton, Waterloo, Toronto, Flamborough,  
Scarborough, Burlington, Etobicoke, Dundas,  
Stoney Creek and Ancaster.

M.D.'s  
PARKSDED.FUN

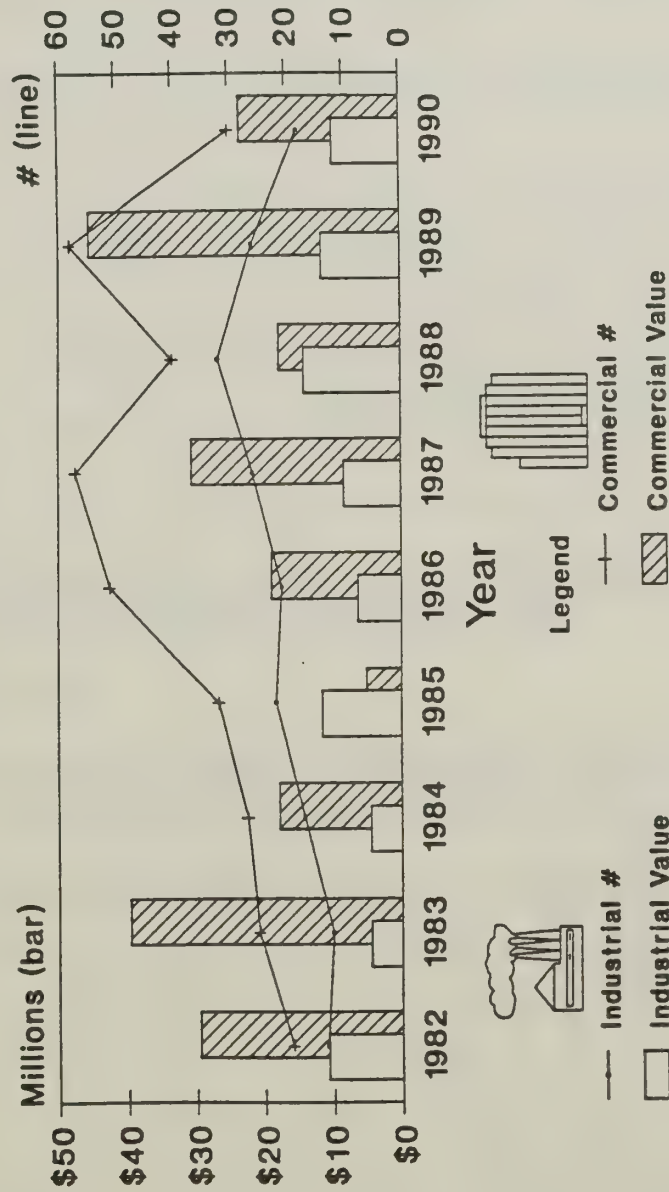
**Does Municipality Implement 2% Dedication of Land and/or  
Cash-in-Lieu for (Re)Development of Commercial / Industrial Lands?**



\* will implement upon improvements in economic conditions



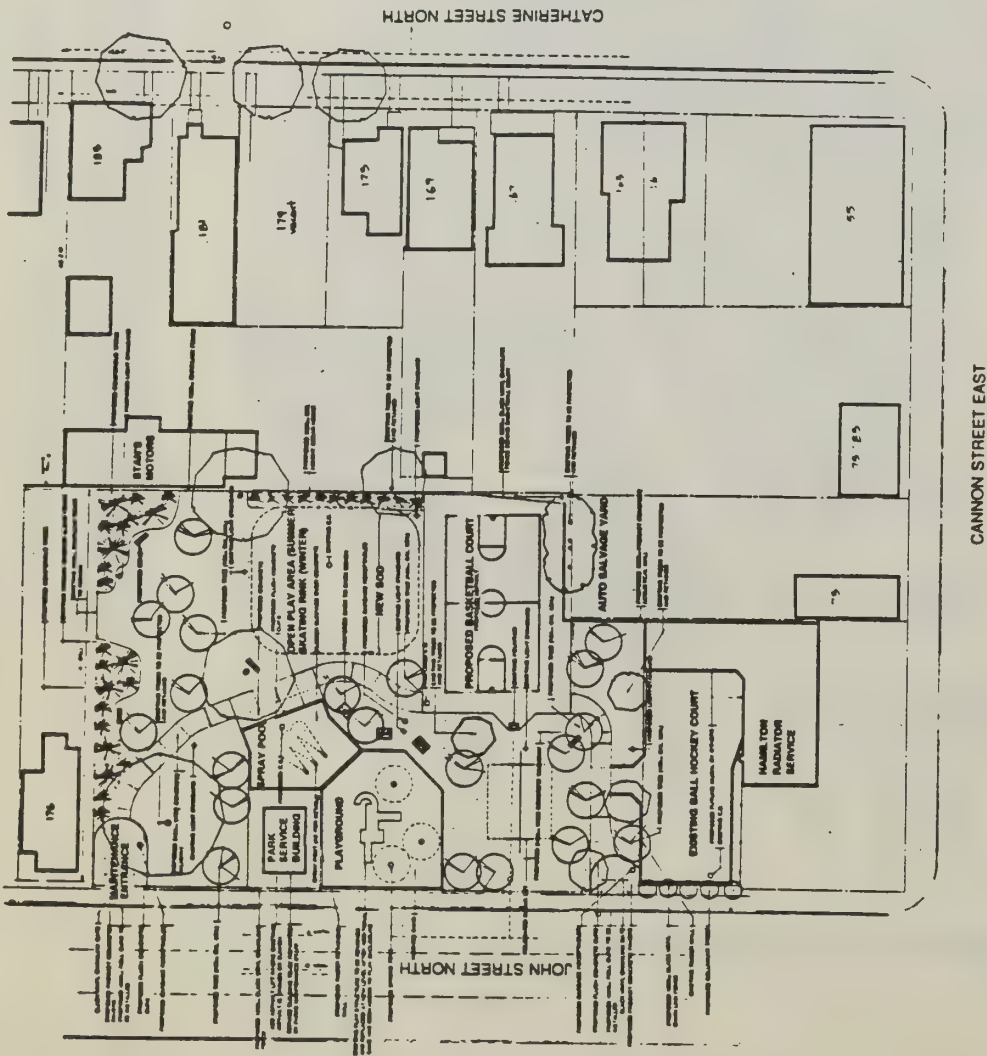
# Building Permits 1982 - 1990



Source: City of Hamilton Building Dept.

July 30, 1991

Appendix "B" as referred to  
in Section 19 of the  
FOURTEENTH Report of the  
Parks and Recreation  
Committee



NO.	DATE	BY	REVISION
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July 30, 1991

## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FIFTEENTH** Report for 1991 and respectfully recommends:

1. (a) That a purchase order be issued to Moore/George Associates Inc., Toronto, in the amount of \$100,000.00 plus a contingency of \$10,000.00, plus GST at 7%, being the most acceptable of three proposals received, to provide consulting services for the City of Hamilton Park and Open Space Master Plan in accordance with the Request for Proposal issued by the Manager of Purchasing and Vendor's submission, and that this expenditure be financed through the Park Development and Redevelopment Programme Account No. CF629154404.
- (b) That a contract be entered into satisfactory to the City Solicitor.

REFERRED BACK with instructions that a recommendation be brought back to City Council for this study to be carried out "in-house".

### Recorded Vote:

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -13.

NAYS: Alderman Jackson. -1. **REFERRED BACK AND CARRIED.**

2. (a) That a purchase order be issued to T. R. Hinan Contractors Inc. in the amount of \$374,500.00 for the construction of a New Track Field House at Mohawk Sports Park.
- (b) That a contract be entered into satisfactory to the City Solicitor.
- (c) That funds be provided from Account No. CF5200 629054018.

Respectfully Submitted,

K. Christenson  
Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE



July 30, 1991

## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **ELEVENTH** Report for 1991 and respectfully recommends:

1. That the Building Commissioner be authorized to issue a demolition permit for the following properties:
  - (a) 780 Upper Paradise Road.
  - (b) 493 Rennie Street.
  - (c) 485 Beach Boulevard.
  - (d) 443 Woodward Avenue.
2. That a Commercial Facade Loan, in the amount of fifteen thousand dollars (\$15,000.00) be approved for 259 Ottawa Street North, Ted & John Culshaw (A & B. Catering). The interest rate will be 4-7/16 percent, amortized over 10 years.
3. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of eight thousand, and eighty dollars (\$8,080.00) be approved for Heinz Ollesch, 172-176 Locke Street South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,
  - (b) That a Designated Property Grant in the amount of three thousand dollars (\$3,000.00) be provided to Heinz Ollesch, 172-176 Locke Street South, Hamilton.
4. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of three thousand, eight hundred and eighty-eight dollars (\$3,888.00) be approved for Jane & Paul Rigby, 74 George Street, Hamilton. The interest rate will be six percent, amortized over 10 years; and,

- (b) That a Designated Property Grant in the amount of three thousand dollars (\$3,000.00) be provided to Jane & Paul Rigby, 74 George Street, Hamilton.
- 5. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of four thousand, five hundred and eighty-three dollars (\$4,583.00) be approved for Joan & Agnes McAllister, 72 George Street, Hamilton. The interest rate will be six percent, amortized over 10 years; and,
  - (b) That a Designated Property Grant in the amount of three thousand dollars (\$3,000.00) be provided to John & Agnes McAllister, 72 George Street, Hamilton.
- 6. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of two thousand, three hundred and nineteen dollars (\$2,319.00) be approved for Jane & Paul Rigby, 260 MacNab Street North, Hamilton. The interest rate will be six percent, amortized over 10 years; and,
  - (b) That a Designated Property Grant in the amount of two thousand, three hundred and nineteen dollars (\$2,319.00) be provided to Jane & Paul Rigby, 260 MacNab Street North, Hamilton.
- 7. That the City of Hamilton accept the sum of \$22,300.00 for Edan Heights Phase One as cash payment in lieu of 5% dedication in connection with this subdivision; this being the cash requirement under Section 50 of the Planning Act. This proposed subdivision is located in the Butler Neighbourhood bounded by Rymal Road East, Stone Church Road, Upper Sherman Avenue and Upper Wentworth Street on the east side of Acadia Drive.
- 8. That the City of Hamilton accept the sum of \$18,150.00 as cash payment in lieu of 5% land dedication in connection with "Crerar Place", and the sum of \$55,900.00 as cash payment in lieu of 5% land dedication in connection with "South Hill - Phase 1" Hamilton, these being the cash requirements under Section 50 of the Planning Act. The lands of "Crerar Place" are located north of Stone Church Road East and west of Upper Wentworth Street in the Crerar Neighbourhood. The lands of South Hill - Phase I are located south of Rymal Road West and west of Upper James Street in the Kennedy East Neighbourhood.

9. (a) That approval be given to the "Intent to Designate" Zion United Church at 69 Pearl Street North as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached hereto and marked as Appendix "A"; and,  
  
(b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
10. That a purchase order be issued to P.L.C. Construction, Hamilton, in the amount of \$55,508.39 including all taxes being the lowest of five (5) quotations received, to landscape and construct a park maintenance building, Stipeley/Crown Point West P.R.I.D.E. Phase 2, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed through Stipeley/Crown Point West P.R.I.D.E. Account No. CF5200 428902002.
11. That City Council confirm the action of the Public Works Department in removing the information kiosk located at the north west corner of John and King William Streets abutting the Windsor Hotel at an approximate cost to the Department of \$400.00.
12. That the City of Hamilton's Emergency Loan Programme be amended to include, as an eligible expense, the installation of recycled equipment for the disabled.
13. That the Building Commissioner be authorized and directed to collect the following amended administrative charges:
  - (a) Combined Certification of Zoning Verification  
and Property Report ..... \$80.00
  - (b) Property Plans (Microfiche):  
  
For Single Family ..... \$10.00  
For Others ..... \$40.00



- 14.(a) That the eight hundred thousand dollars (\$800,000.00) for the P.R.I.D.E., Anti-Recession Programme previously approved by City Council on 1991 March 26 be allocated on the following:

Wheelchair Ramps	\$200,000.00
Hard Service Treatment to Kelly and Elgin Streets in the Central/Beasley Neighbourhood	100,000.00
Trees and Grates	100,000.00
Sidewalk Reconstruction	<u>400,000.00</u>

Total \$800,000.00

- (b) That the City's portion of the Anti-Recession Programme in the amount of four hundred thousand dollars (\$400,000.00) be funded from existing 1991 Capital Budget accounts for projects which were already scheduled for reconstruction in those areas designated as Community Improvement Project and Redevelopment Areas as defined in the Planning Act and approved by the Ministry of Municipal Affairs for expenditure of the grant funds.
- 15.(a) That the City enter into a Lease Amending Agreement dated 1987 September 2, with Fourth Phase Civic Square Limited as "Lessee" and Yale Properties Limited as "Guarantor" in the form attached hereto as Appendix "B" which amends the Ground Lease between the parties hereto dated 1981 June 1, and confirms the location of the loading dock as constructed adjacent to the Copps Coliseum Truck Tunnel and servicing Fourth Phase Jackson Square and the Sheraton Hamilton Hotel, amends the references and description of the loading dock, and confirms provisions relating to the leasing of an access corridor to the loading dock by Fourth Phase to the Sheraton Hamilton Hotel.
- (b) That the Mayor and City Clerk be authorized to execute this Agreement on behalf of the City.

- 16.(a) That an Offer to Purchase executed by Philip Enterprises Inc., on 1991 July 5, and scheduled for closing on or before 1991 September 20, for the purchase of owned land being

Firstly: Lot 34, Plan 471 having a frontage on the southerly limit of Gerrard Street of 8.13 metres (26.67 feet) more or less by a depth of 24.38 metres (80 feet) more or less, containing an area of 198.21 square metres (2,133.6 square feet) more or less, known as Municipal No. 10 Gerrard Street, Hamilton, Ontario.

Secondly: Lot 35, Plan 471 having a frontage on the southerly limit of Gerrard Street of 7.315 metres (24 feet) more or less by a depth of 24.38 metres (80 feet) more or less, containing an area of 178.36 square metres (1,920 square feet) more or less, known as Municipal No. 12 Gerrard Street, Hamilton, Ontario.

Thirdly: Part of Lot 36, Plan 471 having a frontage on the southerly limits of Gerrard Street of 7.315 metres (24 feet) more or less by a depth of 24.38 metres (80 feet) more or less, containing an area of 178.368 square metres (1,920 square feet) more or less, known as Municipal No. 14 Gerrard Street, Hamilton, Ontario.

Fourthly: Part of Lots 40 and 41, Plan 471, having a frontage on the southerly limits of Gerrard Street of 5.79 metres (19 feet) more or less by a depth of 24.38 metres (80 feet) more or less, containing an area of 141.2 square metres (1,520 square feet) more or less, known as Municipal No. 24 Gerrard Street, Hamilton, Ontario.

Fifthly: Part of Lots 71 and all of Lot 72, Plan 471 or more specifically Part 7 on Plan 62R-10240, having a frontage along the northern limit of Brant Street of 9.144 metres (30 feet) more or less, by a depth of 24.38 metres (80 feet) more or less, containing an area of 223.0 square metres (2,400 square feet) more or less, known as Municipal No. 221 Brant Street, Hamilton, Ontario. The purchase price is \$268,950.00. A deposit cheque in the amount of \$26,985.00 is being held by the City Treasurer pending Council approval with proceeds to be credited to Account Number CF4402 308750001 (Land Sales - Enclave Clearance Program),

Be approved and further;

- (b) That the lease with Philip Enterprises Inc., for the City owned lands at 10, 12, 14 and 24 Gerrard Street be terminated on the date of closing of the purchase of these lands by Philip Enterprises Inc.

17. That the City of Hamilton endorse the following amended resolution of the Co-Operative Housing Federation of Canada which deletes the words "without economic or social barriers" and inserts in lieu thereof the words "low and moderate income Canadians".

WHEREAS many Canadians experience serious housing problems; and

WHEREAS the Federal Non-Profit Co-operative Housing Program is the last direct non-profit housing program funded by the Government of Canada; and

WHEREAS a 1990 evaluation conducted by the Canada Mortgage and Housing Corporation has shown co-op housing to be highly successful in creating healthy mixed-income communities; and

WHEREAS co-operative housing is an important alternative for the 38% of Canadians who are not homeowners; and

WHEREAS the index-linked mortgage, introduced in Canada by the co-op housing sector, has substantially reduced the cost to the government of producing non-profit co-op housing;

BE IT RESOLVED THAT the City of Hamilton ask the Government of Canada to commit itself to sponsoring at least 5,000 new non-profit co-op housing units a year and that its co-op housing program allow for access to co-operative housing by all low and moderate income Canadians.

18. That the resolution from the City of Scarborough attached hereto and marked Appendix "C", respecting a request for Provincial Government action on second units, be received.
- 19.(a) That the comments contained in the Staff report reviewing the "Final Report of the Regional Chairman's Task Force on Affordable Housing", attached hereto and marked as Appendix "D", be endorsed; and,
- (b) That the Chairman's Task Force on Affordable Housing and Regional Council be so advised of City Council's endorsement.
20. That the City Clerk be directed to inform the City of Burlington that the City of Hamilton does not object to the proposed Official Plan Amendment and rezoning for the lands located on the south side of Spring Gardens Road, City of Burlington.



21. That approval be given to Zoning Application 89-105, DiCenzo Construction, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the development of the subject lands for single-family dwellings, for lands located in the area north of Rymal Road East and west of Upper Gage Avenue, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38D for presentation to City Council;
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 22(A) That Zoning Application 91-21, Rymal Gardens Inc. (Vincent DeBenedictis, President), owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District (Block "1"), and from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse and Maisonette) District (Block "2"), to permit "small lot" single-family dwellings on Block "1" and townhouses on Block "2", for property located in the area south of Rymal Road East and west of the proposed extension of Upper Wentworth Street, as shown on the attached map marked as Appendix "F", be denied, for the following reasons:
- (a) It conflicts with the intent of the approved Chappel West Neighbourhood Plan which designates Block "2" on the attached Appendix "F" for "Single and Double" residential use;
  - (b) Approval of the proposed townhouse development would encourage other similar applications which, if approved, would undermine the intent of the Neighbourhood Plan and alter the character of the area;
  - (c) Approval of the proposed townhouse development would result in the establishment of townhouses along both sides of the proposed extension of Upper Wentworth Street in the area south of Rymal Road East, except for a small park site, which represents an overintensification of use. In this regard, the proposed townhouse development would yield more than twice the density proposed by the Chappel West Neighbourhood Plan for this Block of land,

(approximately 85 units as opposed to only 34 units, provided by the draft approved plan of subdivision.)

- (B) That the revised Subdivision Application Plan "The Gardens of Rymal", Rymal Gardens Inc., owner, under Regional File No. 25T-88037 showing blocks for townhouse development, be denied.
23. That Zoning Application 91-20, Fiore Manganiello, owner, requesting a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "H" (Community Shopping and Commercial, etc.) District modified, to construct a two-storey office building having a gross floor area of 632 m<sup>2</sup>, for property located at 87, 89, 91, 93 and 95 Wellington Street North and 216 Wilson Street, as shown on the attached map marked as Appendix "G", be denied for the following reasons:
- (a) It does not comply with the intent of the Official Plan and conflicts with the intent of the approved Beasley Neighbourhood Plan which designates the land for "High Density Apartments";
  - (b) It conflicts with the intent of the Zoning By-law, in that the "L-mr-2" District functions as a holding zone for future medium and high density multiple residential dwellings. The "L-mr-2" District regulations clearly delineate those zoning districts to which an "L-mr-2" zoned property can be rezoned (i.e. "E", "E-1" and "E-3"). The requested "H" District is contrary to the intent of the "L-mr-2" holding zone;
  - (c) Most of the adjoining lands are either being used for residential purposes or are designated for residential purposes. The proposed office building would be incompatible with the land uses existing/proposed in the area;
  - (d) Approval of the application would set an undesirable precedent and may encourage other similar applications which, if approved, would undermine the intent of the zoning by-law and alter the character of the area; and,
  - (e) It conflicts with the position of City Council, adopted 1990 April 10, to deny the application to permit the development of the lands for commercial purposes.
24. That approval be given to amended Zoning Application 91-25, William Zolis, owner, for a modification to the "M-13" (Prestige Industrial) District regulations to permit additional commercial uses on the property located at 1175 Stone Church Road East, as shown on the attached map marked as Appendix "H", on the following basis:



- (a) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of Zoning By-law 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:

- (i) That notwithstanding Section 17E(1) (c) of By-law No. 6593, the following commercial uses shall be permitted:

<u>Uses</u>	<u>SIC Identification</u>
(1.) Office and Store Machinery, Equipment and Supplies, Wholesale	5791
(2.) Bakery Products Stores	6013
(3.) Appliance, Television, Radio and Stereo Stores	6221
(4.) Floor Covering Stores	6231
(5.) Home and Auto Supply Stores	6341
(6.) General Stores	6412
(7.) Hardware Stores	6531
(8.) Paint, Glass, and Wallpaper Stores	6532
(9.) Sporting Goods Stores	6541
(10.) Other Banking-Type Intermediaries	7029
(11.) Insurance & Real Estate Agencies	7611
(12.) Offices of Chartered and Certified Accountants	7731
(13.) Offices of Chiropractors and Osteopaths	8661
(14.) Restaurants, Licensed	9211
(15.) Restaurants, Unlicensed (Including Drive-Ins)	9212
(16.) Take-Out Food Services	9213
(17.) Combination Barber and Beauty Shops	9713
(18.) Self-Serve Laundries and/or Dry Cleaners	9723
(19.) Other Machinery and Equipment Rental and Leasing	9919

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1236, and that the subject lands on Zoning District Map E-59C be notated as S-1236.
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59C for submission to City Council.



- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
25. That approval be given to Zoning Application 91-29, Luciano Di Marcantonio, owner, requesting a modification to the "M-14" (Prestige Industrial) District regulations, to permit an auto service centre (muffler replacement shop, motor vehicle transmission repair and replacement shop and other motor vehicle repair shops) and to remove the 83.5 m<sup>2</sup> restriction for offices accessory to the principle uses, for the property located at 90 Lancing Drive, as shown on the attached map marked as Appendix "T", on the following basis:
- (a) That the "M-14" (Prestige Industrial) District regulations, as contained in Section 17F, of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
- (i) That notwithstanding Section 17F(1)(b) of Zoning By-law No. 6593, the following Commercial Uses shall be permitted:
- | <u>Commercial Use</u>                                       | <u>Standard Industrial Classification Code</u> |
|---|--|
| (1.) Muffler Replacement Shop                               | 6353   |
| (2.) Motor Vehicle Transmission Repair and Replacement Shop | 6355   |
| (3.) Other Motor Vehicle Repair Shops                       | 6359   |
- (ii) That notwithstanding Section 17F(1)(d)(1), the gross floor area restriction for accessory offices shall not apply.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1237, and that the subject lands on Zoning District Map E-59D be notated S-1237;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

26. That approval be given to Zoning Application 91-33, Carlo Del Sordo, owner, requesting a modification to the "M-14" (Prestige Industrial) District regulations, to permit a public garage and an auto body repair shop, for the property located at 135 Nebo Road, as shown on the attached map marked as Appendix "J", on the following basis:

(a) That the "M-14" (Prestige Industrial) District regulations, as contained in Section 17F, of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:

(i) That notwithstanding Section 17F(1)(b) of Zoning By-law No. 6593, the following Commercial Uses shall be permitted:

<u>Commercial Use</u>	<u>Standard Industrial Classification Code</u>
(1.) Garages (General Repairs)	6351
(2.) Paint and Body Repair Shops	6352

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1238, and that the subject lands on Zoning District Map E-59D be notated S-1238;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council;

(d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

27. That Zoning Application 91-06, Maria and Labros Spandonidis, owners, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations, to permit conversion of the existing building to a two-family dwelling, for property located at 21 Lottridge Street, as shown on the attached map marked as Appendix "K", be denied for the following reasons:

(a) It conflicts with the intent of Policy C.7.1 i) of the Official Plan in that adequate off-street parking cannot be provided;

- (b) It is an overintensification of land use in that no on-site parking is being provided whereas two parking spaces are required. Further, the application conflicts with the intent of the Zoning By-law in that the property does not meet the minimum lot area requirement for a converted dwelling (270 m<sup>2</sup> required vs 173.11 m<sup>2</sup>). Also, an addition was constructed to increase the cubic contents of the building, contrary to Section 19(ii) of the Zoning By-law; and,
  - (c) Approval of the application would encourage other similar applications which, if approved, would alter the character of the area.
  - (d) That the appropriate staff (Law and Planning Departments) be directed to represent the City at the Ontario Municipal Board Hearing scheduled for August 21, 1991, respecting Committee of Adjustment File A-258-89.
28. That Zoning Application 91-23, 766284 Ontario Ltd. (A. Goulding), requesting a change in zoning from "AA" (Agricultural) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Blocks "1" and "2"), and from "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "3"), to permit the development of the subject lands for a 5 storey, 50 unit apartment building, for the property located at 141 Queenston Road, as shown on the attached map marked as Appendix "L", be denied for the following reasons:
- (a) It conflicts with the intent of the Official Plan, in that the height and bulk of development would not integrate with the surrounding area, and is incompatible with the existing and proposed uses;
  - (b) It conflicts with the intent of the approved Riverdale East Neighbourhood Plan which designates the lands "Commercial-Special Provisions." In this regard, it is intended that these lands be consolidated/developed with the commercial lands fronting on Queenston Road; and,
  - (c) The preliminary site plan indicates that 13 of the 89 required parking spaces (24 spaces for the commercial and 65 spaces for the residential) will be located on the Stoney Creek lands to the east. This arrangement is unsuitable in that insufficient parking will be provided on-site. Furthermore, it is contrary to the Zoning By-law which prohibits access for a commercial development within a residential district.
  - (d) That the City Clerk be authorized to notify the City of Stoney Creek of City Council's decision.



29. That approval be given to Zoning Application 91-27, John Paisley in Trust, owner, requesting the removal of the 'H' (Holding) symbol under Section 35(1) of the Planning Act, and the City Solicitor be directed to prepare a by-law for submission to City Council for property located at 1405, 1411 and 1417 Upper James Street, as shown on the attached map marked as Appendix "M".
- 30.(a) That representatives from L.A.C.A.C. be authorized to meet with C.P. Rail to request a 3 month delay in the demolition of the former maintenance facility on their property on Aberdeen Avenue, popularly known as "the roundhouse" for the purpose of preserving this building; and,
- (b) That representatives from L.A.C.A.C. be authorized to contact the appropriate Provincial Government Ministry Officials to discuss the possibility of adapting "the roundhouse" for use as the Provincially proposed Workers' Museum.
31. That leave be granted to introduce the following Bills:
- |               |  |
|---------------|--|
| (a) Bill C-50 | A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1215 Stone Church Road East.                                   |
| (b) Bill C-51 | A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 298 Grays Road.  |
| (c) Bill C-52 | A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 610 and 612 King Street East.                                |
| (d) Bill C-53 | A By-law to establish Site Plan Control respecting lands located at Municipal Nos. 610 and 612 King Street East.                                 |
| (e) Bill C-54 | A By-law to amend Zoning By-law No. 6593 respecting lands located on the east and west sides of Fairington Crescent and south of Eastgate Court. |
| (f) Bill C-55 | A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 64 Ewen Road.  |
| (g) Bill C-56 | A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1508, 1514 and 1530 Upper James Street.                      |

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- (h) Bill C-57      A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 402 Upper Wentworth Street (formerly Inverness Public School).
- (i) Bill C-58      A By-law to amend Zoning By-law No. 6593 respecting lands located in the area east of Lake Avenue North, between Barton Street East and the Queen Elizabeth Way.

Respectfully Submitted,

ALDERMAN F. LOMBARDO, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1991 July 24



## REASONS FOR DESIGNATION

July 30, 1991  
 Zion United Church  
 69 Pearl St. North

## Location:

Situated at the northwest corner of Pearl and Napier Streets, the Zion Tabernacle Methodist Church was erected in 1874-75 on what was thought to be the highest point of land north of the escarpment. The design, by architect Joseph Savage, chose to emphasize this hilltop site with a corner tower rising to a height of 125'. Zion's graceful spire became the most visible feature of the city's West End and traditionally served as an orientation point for ships in the harbour. The church was and still is a dominant structure in the surrounding low-rise residential neighbourhood, dating primarily from the 19th century.

## Architecture:

The church is designed in the Victorian Gothic style, a later stage of the Gothic Revival which put greater emphasis on picturesque and decorative qualities. Typical of this style is the asymmetrical design with corner towers of contrasting height, as well as the colourful, alternating red and yellow banded brickwork found over the pointed-arched windows and under the front gable.

Upon completion, Zion Church was described as "the first of the kind ... erected in the Dominion" (Canadian Methodist Magazine, April 1875). This distinction refers to the interior plan of the church, a 80' x 90' amphitheatre, featuring a floor that sloped from all three sides down to the central pulpit on the west side. Reputedly inspired by the Broadway Tabernacle in New York City, this innovation afforded each of the 900 seats a clear view to the speaker.

Zion Tabernacle represents the one significant local work by Joseph Savage who was at the time in partnership with the Toronto architect Windeyer. In 1875, within a month after the church was dedicated, architect Savage died at the young age of 37 years.

Due to increasing attendance, two Sunday Schools were added to the Napier Street frontage, the first (directly adjacent) designed by Charles Mills in 1892 and the second by G. T. Evans in 1930. Together they form a well-integrated church complex, despite the shift in architectural style to the rounded arches, popular at these later dates.

## History:

Major events within the national Methodist church, including its 100th anniversary in 1868 and important consolidations in 1874 and 1883, had a profound effect at the local level. Combined with other favourable conditions, Hamilton experienced a proliferation of substantial Methodist church edifices. Six were constructed within fifteen years, four of which still remain: the Primitive Methodist (now St. Johannes Lutheran) (1867); Centenary (1868), Zion (1875) and Hannah St. (now First Christian Reformed) (1882). The name of Zion Tabernacle Methodist Church was changed to Zion United Church following the formation of the United Church of Canada in 1925.

Zion church grew out of the need for a Methodist representation in the West End, where the Great Western Railway had located—then the largest employer in the City. The present structure is Zion's third, following "the little Main St. church" established in 1855, and a small brick structure known as Mt. Zion built in 1867 at Pearl and Napier Streets.

The high value placed on education by the church is evidenced in the substantial Sunday Schools, the later one having provided one of the earliest gymnasiums in the City. At present, these buildings are used as the Kirkendall-Strathcona Neighbourhood House.

Important for the preservation of this building is the retention of the original architectural features of the east front facade and south side facade (Church and Sunday Schools), including the brickwork of walls, towers and buttresses; the spires, the arched doorways and windows; and the window mouldings, decorative brickwork and stone trim.

Appendix "A" as referred  
 to in Section 9 of the  
 ELEVENTH Report for 1991  
 of the Planning and  
 Development Committee



THIS AGREEMENT made as of the 2nd day of September, 1987.  
July 30, 1991

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter referred to as the "Lessor" or the "City")

OF THE FIRST PART

- and -

FOURTH PHASE CIVIC SQUARE LIMITED

(hereinafter referred to as the "Lessee" or "Fourth Phase")

OF THE SECOND PART

- and -

YALE PROPERTIES LIMITED

(hereinafter referred to as the "Guarantor" or "Yale")

OF THE THIRD PART

WHEREAS by a Ground Lease dated as of the 1st day of June, 1981, and registered as Number 197189C.D.) between the parties hereto the Lessor leased to the Lessee the demised premises described in Schedule "A" of the Ground Lease in accordance with the terms and conditions set out therein (hereinafter referred to as the "Ground Lease");

AND WHEREAS it is provided in Section 23.4 thereof that the same may not be modified or amended except by an instrument in writing of equal formality executed by the parties thereto;

AND WHEREAS page two of Schedule "C" of the Ground Lease refers to a loading dock to be constructed by the Lessee within that part of its demised premises designated as Part Eight, which Part 8 is defined in the Ground Lease;

AND WHEREAS the loading dock as constructed is shown as Part Two on Plan 62R-6886 together with an adjacent entry area for vehicles shown as Part One on Plan 62R-6886;

AND WHEREAS in an Agreement (dated as of July 31, 1984, registered as Instrument Nos. 320192C.D. and 161659L.T.) entered into among the City, Second Phase Civic Square Limited, Fourth Phase and Lakeview Development Ltd., provisions were agreed upon in respect of the construction and use of the loading dock (hereinafter this Interface Agreement shall be referred to as the "Hotel Interface Agreement");

AND WHEREAS it is agreed by the City and Fourth Phase that the Ground Lease should be amended as set out herein to confirm that the location of the loading dock as constructed is satisfactory to the Lessor and the Lessee.

NOW THEREFORE IN CONSIDERATION of the sum of Two Dollars (\$2.00) paid by each of the parties hereto to the others it is agreed as follows:

1. The Ground Lease is hereby amended as follows:

- (i) by deleting the second and third paragraphs on page two of Schedule "C" and substituting the following paragraphs:

Appendix "B" as referred  
to in Section 15 of the  
ELEVENTH Report for 1991  
of the Planning and  
Development Committee

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"The Lessee of Phase Four and the Lessee of Phase Three shall share the use of the loading dock to be constructed by the Lessee of Phase Four on that part of Parts Four and Eight more particularly described as follows:

Those lands and premises located in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, and being composed of:

- Part of Lots 1 and 2, Block 2 and part of Market Street, as closed by City of Hamilton By-Law No. 72-270, registered as Instrument No. 270101 A.B., according to David Kirkendall Survey, Registered Plan No. 39, designated as PART 1;

- Part of Lot 1, Block 1 and part of said closed Market Street, in the said David Kirkendall Survey, Registered Plan No. 39, designated as PART 2;

ALL as shown on a reference plan deposited in the Land Registry Office at Hamilton, as Plan 62R-6886."

- (ii) by deleting the second last paragraph on page 2 of Schedule "A" (titled "Description of demised premises" and substituting the following paragraph:

"Subject to the use by others of:

(a) that portion of the said Part 3, Plan 62R-5316 that is included within Parts One and Two, Plan 62R-6886; and,

(b) that portion of Part 7, 62R-5316 that is included within Parts 1 and 2, 62R-6886."

- (iii) there shall be added to Schedule "C" the following paragraph:

"The Lessee of Phase Three, pursuant to the provisions of Section 5(f) of the Hotel Interface Agreement dated July 30th, 1984, registered as Instrument No. 161659L.T. and 320192C.D., shall have access to the said loading dock through an area leased pursuant to a lease dated as of the 1st day of May, 1985 between the Lessee of Phase Four, as Landlord and the Lessee of Phase Three, as Tenant, which leased area is described as Part 3, Plan 62R-6886."

- (iv) the reference to Schedule "A" and to Schedule "C" in sec.1.01(b) of the Ground Lease and the reference to Schedule "C" in Schedule "A" hereto shall be deemed to mean a reference to Schedules "A" and "C" as amended by this herein Amending Agreement.

2. All other terms and conditions of the said Ground Lease are herein confirmed including the provision that time is to remain of the essence.

3. This amendment to the Ground Lease shall be registered by the Lessee on title to the demised premises as described in the revised Schedule "A" attached hereto.

4. This Indenture shall enure to the benefit of and be

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binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have caused to be affixed their respective corporate seals attested by the signatures of their respective proper officers duly authorized for such purposes.

THE CORPORATION OF THE CITY OF HAMILTON

Robert Morrow - Mayor

Kenneth Avery - City Clerk

FOURTH PHASE CIVIC SQUARE LIMITED

Emile Mashaal - President

James G. Milligan - Secretary

YALE PROPERTIES LIMITED

Emile Mashaal - Vice-President



SCHEDULE "A"  
July 30, 1991

(Attached to and forming part of an AMENDING AGREEMENT dated September 2, 1987 amongst THE CORPORATION OF THE CITY OF HAMILTON, FOURTH PHASE CIVIC SQUARE LIMITED and YALE PROPERTIES LIMITED)

FIRSTLY:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Lots 3, 4 and 5, part of Lots 1 and 2, part of Lots lettered "A" and "B", and part of an unnumbered lot, all in Block 1, David Kirkendall Survey registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 39, part of Lots 2, 3 and 4 fronting on Market Street in Block 2, David Kirkendall Survey and part of Market Street in Block 2, David Kirkendall Survey and part of Market Street lying between the said Block 1 and 2, the said Market Street now closed by City of Hamilton By-Law No. 72-270 dated October 31, 1972 and registered as Instrument No. 270101A.B., and which said parcel may be more particularly described as all of Part 7 according to a Reference Plan received and deposited in the said Land Registry Office on April 22, 1980 as Plan 62R-5316.

Subject to the use by others of that part of the said Part 7 that is included within Parts 1 and 2 on Plan 62R-6886.

SECONDLY:

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 1 in Block 1, and part of Lots 1 and 2 fronting on Market Street in Block 2, according to David Kirkendall Survey registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 39, parts of Market Street now closed by City of Hamilton By-law No. 72-270 dated October 31, 1972 and registered as Instrument No. 270101A.B., part of Park Street, part of Lot 2 in the block bounded by Market, MacNab, King and Park Streets according to the said David Kirkendall Survey part of Lots 9 and 10 according to A. N. MacNab Survey (unregistered) in the block bounded by York, MacNab, Market and Park Streets and which said parcels may be more particularly described as that portion of Parts 2 and 3 according to a Reference Plan received and deposited in the said Land Registry Office on April 22, 1980 as Plan 62R-5316, lying below a horizontal plane having a geodetic datum elevation of Three Hundred and Fifty-Three point zero feet (353.0').

Part 2 being composed of part of Lot 1, Block 1, part of Lot 1, Block 2 and part of Lot 2 in the block bounded by Market, MacNab, King and Park Streets all according to the said David Kirkendall Survey, part of Lots 9 and 10, A. N. MacNab Survey and part of Market and Park Streets.

Part 3 being composed of part of Lot 1, Block 1 and part of Lots 1 and 2, Block 2, David Kirkendall Survey and part of Market Street.

Subject to the use by others of that part of the said Part 3 that is included within Parts One and Two on Plan 62R-6886.

TOGETHER WITH and subject to those rights and easements set out in Schedule "C" to a certain Ground Lease registered as Instrument No. 197189C.D.

## SECOND UNITS: REQUESTED PROVINCIAL GOVERNMENT ACTIONS

(Resolution Adopted by Scarborough Council, March 20, 1991)

- WHEREAS** The Provincial Government's Policy Statement, "Land Use Planning for Housing", requires Municipalities to provide for future housing needs; and
- WHEREAS** The City of Scarborough has provided for an additional 12,000 units in the past 3 years by using the powers available to it under the Planning act; and
- WHEREAS** The Provincial Government requires Municipalities to permit second units in existing houses to help meet future housing needs; and
- WHEREAS** The City conducted an extensive public involvement process for its Housing Intensification Study, consisting of:
1. A brochure sent to all 171,000 Scarborough households in Fall 1989, inviting them to participate in the discussion of a policy for basement apartments and which led to the establishment of a mailing list of 5,400 respondents to the brochure;
  2. Preparation of readily accessible background information on the issue to provide better public understanding, which was sent to all those on the mailing list;
  3. 14 Community Meetings on the Basement Apartments issue, attended by 750 Scarborough residents, and held in Spring, 1990, notice of which was given to all those on the mailing list and to a wide range of community groups, and which were also advertised in local newspapers and on the Community T.V. channel;
  4. 1,800 responses to an Opinion Survey which was sent to all those on the mailing list;
  5. Presentation of the Provincial Government's Housing Policy Statement to 22 Community Meetings examining Scarborough's Official Plan; and
- WHEREAS** The City requires additional powers to enable it to adopt a responsible, fair, comprehensive policy for second units; and
- WHEREAS** Second Units may create demand for additional municipal services; and

**WHEREAS** The Provincial Housing policy allows municipalities to zone for second units in some areas and prohibit these units in other areas, municipalities require more effective abilities to enforce regulations applicable to second units; and

**WHEREAS** Absentee-owned houses with second units are a business for their owner, and should be licensed, taxed, and regulated accordingly; and

**WHEREAS** Many of the unacceptable local impacts of second units may be mitigated if second units are restricted to owner-occupied houses;

**THEREFORE**, be it resolved that Council request, that in order to facilitate its consideration of the legalization of second units, the Provincial Government give consideration to the following:

1. Amend the Development Charges Act to permit Municipalities to levy Development charges on additional dwelling units.
2. Ensure that all second units are assessed for property taxes as duplexes in comparison with other duplexes under the Assessment Act.
3. Amend the Assessment Act to provide that the units in absentee-owned houses with second units be assessed as businesses;
4. Create a Municipal By-law Court to deal with all By-law infractions and Building Code violations;
5. Amend the Planning Act and The Municipal Act to provide that the cost of work carried out under municipal order shall be recovered "as taxes";
6. Amend the Metropolitan Toronto Act to provide that fines payable upon conviction in court belong to the municipality that originated the prosecution;
7. Amend the Court Procedures to permit a Prohibition Order to be enforced by the Court granting such an order;
8. Provide zoning by-law inspectors, property standards inspectors, and building code inspectors with reasonable and effective rights of access to dwellings, for purposes of inspection for compliance with the Ontario Building Code and municipal by-laws without undue delay or expense;



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9. Amend the Landlord and Tenant Act and the City of Scarborough Act to provide that a landlord's refusal to comply with the Building Code, the Fire Code and municipal by-laws may result in the relocation of the tenant and/or the municipality undertaking needed repairs and maintenance, with all costs being recovered as taxes;
10. Amend The Landlord and Tenant Act to provide the ability for a homeowner to evict expeditiously an incompatible tenant from a second unit;
11. Amend Sections 38 (Temporary Use By-laws) and 44 (Minor Variances) of the Planning Act to permit Municipalities to enter into agreements with owners as a condition of permission granted under the authority of those Sections, and provide that these agreements are able to be registered against the land to which they apply and enforceable against any and all subsequent owners of the land;
12. Amend The Municipal Act to permit Municipalities to pass By-laws licensing and regulating units in houses with second units; and

**THEREFORE**

This request is made so that the Provincial goal of providing additional affordable housing can be achieved in a safe, financially responsible fashion, that respects the quality of life for existing and future residents in our neighbourhoods; and

**THEREFORE**

Council directs that this request be circulated to all Municipalities subject to the August 1, 1991, deadline for the implementation of the Provincial Housing Policy Statement, and the Association of Municipalities of Ontario; and

**THEREFORE**

Council directs that a copy of this request be sent to all those on the Housing Intensification Mailing List held in the Planning and Buildings Department, and to all Community Associations, as well as the list of Special Interest Groups that would be specifically affected by any decisions that this Council makes on housing intensification and basement apartments, the Seniors Groups, Multicultural Groups and the Ethnic Press.

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**APPENDIX "D"**

**COMMENTS ON THE RECOMMENDATIONS  
FROM THE FINAL REPORT OF  
THE REGIONAL CHAIRMAN'S TASK FORCE ON AFFORDABLE HOUSING**

**Appendix "D" as referred  
to in Section 19(a) of the  
ELEVENTH Report for 1991  
of the Planning and  
Development Committee**

APPENDIX "D"

COMMENTS ON THE REPORT OF THE REGIONAL CHAIRMANS TASK FORCE  
ON AFFORDABLE HOUSING

The Regional Chairman's Task Force is to be commended for producing a thorough document on a very important and difficult issue that affects all residents of Hamilton-Wentworth.

However, in general terms, the Task Force Report appears to provide some duplication between the present role of Area Municipalities and the Region in the land use planning approvals process. In several instances, recommendations are made by the Task Force (e.g. 3.1 and 3.2) which call for a Regional role in areas that have been traditionally the responsibility of the local municipality. Further clarification of Regional and Local functions is required.

The specific recommendations of the Final Report of the Regional Chairman's Task Force that have implications on the City are identified and comments provided below. A number of recommendations can be supported without any discussion. These include: 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.11, 2.12, 2.13, 2.14, 4.5, 5.2, 5.3 and 5.8.; however, the following recommendations are worthy of clarification or reconsideration by the Task Force.

**RECOMMENDATION 1.1**

*That the Regional Official Plan be amended to include a statement that it shall be the goal of Regional Council to achieve a minimum of 25% affordable housing (as defined in Recommendation 1.6) in all urban and rural planning units/neighbourhoods of Hamilton-Wentworth, existing and new, subject to servicing availability, in order to guarantee all residents have the opportunity to live in every area of the Region.*

Comment:

It should be noted that this requirement will be implemented on a local level as well as at the Regional level. This approach in regard to the 25% affordable housing requirement may be inconsistent to the approach the City of Hamilton may take in implementing of the Provincial Policy Statement. Further, it is not clear how 25% affordable housing can be achieved in existing neighbourhoods. Accordingly, this recommendation cannot be supported as there would be insufficient flexibility for the City in implementing the Provincial Policy Statement, if the Regional Official Plan is amended in this manner.

**RECOMMENDATION 1.2**

*That the Regional Official Plan be amended to include a statement that it shall be the policy of Regional Council to ensure an adequate and suitable supply of land is designated for medium to high density (12 or more units per acre) residential development and adopt as the current guideline the recommended target (part of the Regional Housing Statement Update) that at least 45% of all new development be medium or high density, subject to adequacy and availability of servicing.*

Comment:

The 45% target of medium and high density housing is consistent with actual housing completions (based on Canada Mortgage and Housing Corporation data) that occurred in the City of Hamilton from the period January, 1988 to March, 1991: single and semi-detached



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units accounted for 54.5 percent of all completions; row/townhouse units accounted for 30.0%; and apartment units accounted for 15.5 percent of all completions.

However, these targets are only guidelines which are dependent on private market activities to be achieved. Therefore, it should be recognized that the targets may not always be achieved.

### RECOMMENDATION 1.3

*That the Regional Official Plan be amended to include a statement that it shall be the policy of Regional Council to approve Regional Official Plan amendments asking for the redesignation of land when applicable only after the applicant has demonstrated how the Region's affordable housing goals and density targets will be addressed.*

#### Comment:

It is not clear if this recommendation is intended to apply to all lands or only for lands involving residential designations. It appears affordable housing concerns would take precedence over other policy considerations in terms of Official Plan redesignations. Accordingly, the Task Force should provide further clarification on the intent of this recommendation.

### RECOMMENDATION 1.4

*That the Regional Official Plan be amended to indicate that home sharing, home conversions, conversions of non-residential buildings to residential purposes, infill and redevelopment are necessary processes for addressing the full range of affordable housing needs in all Area Municipalities of the Regional Municipality of Hamilton-Wentworth.*

#### Comment:

This recommendation can be supported. City Council has recently adopted the Housing Intensification Strategy and the amendments advocated by the Task Force would be consistent with the general policy directions of the City's strategy. It should be noted that these forms of residential intensification are already permitted in the Hamilton Zoning By-law. However, the other Area Municipalities should also be required to provide for their fair share of the demands for these types of housing developments.

### RECOMMENDATION 1.6

- a) *That the Residual Income Method be adopted as a needed component for identifying the affordable housing needs in The Regional Municipality of Hamilton-Wentworth.*

#### Comment:

The Task Force has recommended that a combination of statistical methods is required "to more definitively identify the housing needs of Hamilton-Wentworth residents." It is not clear why this fundamental research task was not undertaken at the outset by the Task Force. This raises concerns in regard to the rationale or quantitative basis of the Task Force recommendations in terms of responding to housing needs in Hamilton-Wentworth. In addition, the Task Force report has not linked the definition of affordable housing to the quantity and type of affordable housing that is actually needed in Hamilton-Wentworth.

The Task Force advocates the use of the Residual Income Method as one way of identifying affordable housing needs in Hamilton-Wentworth. Use of the Residual Income Method is of concern as it only shows "those groups in the Region who may have trouble finding

affordable shelter". This method ~~does not~~ quantify households in Hamilton-Wentworth who are experiencing housing affordability problems and their socio-economic and demographic characteristics and the extent of housing affordability problems in the Region. The Residual Income Method would also be difficult to update on a yearly basis which would constrain Area Municipalities in implementing the provisions of the Provincial Policy Statement.

Will the Area Municipalities be required to use this method to determine affordability under the Provincial Policy Statement on Land Use Planning for Housing? If so, what are these figures? The Area Municipalities must have flexibility to use various methodologies to define affordable housing within their communities.

In addition, these affordable levels must be updated on an annual basis in order to implement. As accurate income information is only available through the Census, these numbers may be difficult to update.

Further clarification of the impacts of the Residential Income Method should be undertaken before this recommendation is adopted.

#### **RECOMMENDATION 2.1**

*That the Commissioner of Planning and Development be authorized and directed to organize a technical committee, made up of representatives from Regional and Area Municipal Planning Departments, relevant Provincial agencies, and the Housing Development Industry, with the mandate to prepare a framework for new zoning by-laws that can be adopted by the Area Municipalities...*

#### **Comment:**

The broad concept of reviewing Area Municipality zoning by-laws is supportable; however, it is inappropriate to suggest the only option in regard to future zoning by-laws is "to replace the current exclusionary zoning by-laws with flexible zoning by-laws." This recommendation may conflict with the aim of the Provincial legislation which allows local municipalities to develop zoning by-laws reflective of the demographic and socio-economic characteristics of their community. Zoning by-laws which do not take into account local circumstances and needs may be as inflexible as current by-laws.

#### **RECOMMENDATION 3.1**

*That public participation principles be adopted and applied to the planning process in order to provide citizens an effective role in changing and improving their community. These recommended principles are as follows:*

- a) The public should be promptly provided with proper information and notification of change in order to facilitate consultation.*
- b) Appropriate opportunities for consultation to occur should be provided throughout and at the end of a participation process.*
- c) The results of consultation should be reported back to the Region and Area Municipalities in an unaltered and unbiased manner.*
- d) Policies and programs should be accessible, clear, concise and timely.*
- e) Community members should be encouraged to define and meet their own needs, free from coercion and with provision of appropriate information and resources...*



Comment:

July 30, 1991

The Task Force has suggested the land use planning process is altered and biased and the public is coerced during the process. The City of Hamilton has been a leader in community-based neighbourhood planning since the 1970's. Together with the requirements of the Planning Act, and the planning process followed by the City, significant public participation is ensured.

It is likely the recently announced Provincial inquiry chaired by John Sewell on the present land use planning process will address the issue of public participation in further detail.

**RECOMMENDATION 3.2**

*That appropriate Regional staff be authorized and directed to provide support to Area Municipalities and encourage them to initiate a pilot project to establish and support neighbourhood based planning committees in four or five different neighbourhoods in the Region whose purpose is to examine affordable housing and other inter-related issues as they exist in these particular communities.*

Comment:

It is not clear what exactly is being advocated in this recommendation. Currently, the City undertakes neighbourhood planning for both existing and undeveloped neighbourhoods. This process is being modified to deal with neighbourhood impacts of housing conversions. This recommendation appears to be a duplication of the City's planning function. Perhaps, the Region could support local efforts in this regard through data collection, staff support and funding. Further clarification and a more definitive Terms of Reference should be undertaken before approval of this recommendation.

**RECOMMENDATION 3.3**

a) That appropriate staff (provided with appropriate budget resources) be directed to work with Area Municipalities, citizen groups, churches, and other community based organizations in projects that could include, but are not limited to, the following:

- *accessing programs such as PRIDE;*
- *developing local rehabilitation and repair centres involving trades people, retirees, and other volunteers, and accessing funds available through training or retraining programs, to assist those in need;*
- *facilitating rehabilitation of existing residential dwellings on the principle of sweat equity for the homeless;*
- *developing agreements with owners of vacant parcels of land to promote the interim use of these properties...*

Comment:

There would be a large degree of overlap and conflict with current City housing loans and community improvement programs and planning initiatives. Duplication is both costly and inefficient. In addition, such duplication could impact on the City's ability to access funds from senior levels of government. It is not clear from the Task Force report how this duplication would be rectified or what will be the role of the area municipalities. Further clarification is required from the Task Force prior to approval of this recommendation.



#### RECOMMENDATION 6.1

*That the Commissioner of Planning and Development, in conjunction with the Commissioner of Social Services, other relevant departments, providers of housing, and members of the Chairman's Task Force on Affordable Housing be authorized and directed to develop a detailed implementation plan for the creation of a Regional Housing Commission and present this report for consideration by Regional Council in six months.*

#### Comment:

The focal point of the Task Force strategy is the creation of a Regional Housing Commission. It is through this Commission that the majority of the Task Force recommended actions are to be implemented. The Regional Housing Commission would take the form of a "quasi non-governmental organization" made up of political and citizen representatives and would operate at "arms length from government". The Commission would be the "vehicle through which the Region could manage the devolved housing authority it is seeking the from the Province" and an "agent to foster even more community development and participation in housing issues."

The responsibilities of the Commission are noted as being "planning, coordinating and delivering housing related services" that have been devolved from the Provincial Government. It appears the Task Force has envisioned the Commission as an autonomous body with special legislative authority in regard to all housing-related matters in Hamilton-Wentworth.

It may be the case that the Regional Housing Commission could duplicate a number of functions currently provided by the City of Hamilton. For example, one of the roles suggested by the Task Force is to "develop a Region-wide delivery mechanism for community-based rehabilitation and maintenance programs." The City of Hamilton presently administers a number of Provincial, Federal and City rehabilitation programs through the Housing Loans section of the Building Department. It is not clear that the Regional Housing Commission could fulfil this role more capable and responsive than the City of Hamilton currently does.

In addition to the duplication of housing-related services currently provided by the City, there is also the issue of accountability. The Task Force makes the argument that the Commission would be "formally accountable primarily at the local level to residents of Hamilton-Wentworth and their representatives on Regional Council." However, it is not clear how this will be accomplished.

A final concern is with the dollar cost of the Regional Housing Commission. The Task Force report did not address the cost of establishing and operating the Commission. These costs could be substantial if the Regional Housing Commission does not receive monies generated through various housing supply programs.

Although the scope of the efforts of the Housing Commission is desirable in terms of addressing affordable housing needs in Hamilton-Wentworth, the concept of an unelected special purpose body exclusively responsible for all "planning, co-ordinating and delivering housing related services" in Hamilton-Wentworth needs to be examined in greater detail.

#### SUMMARY:

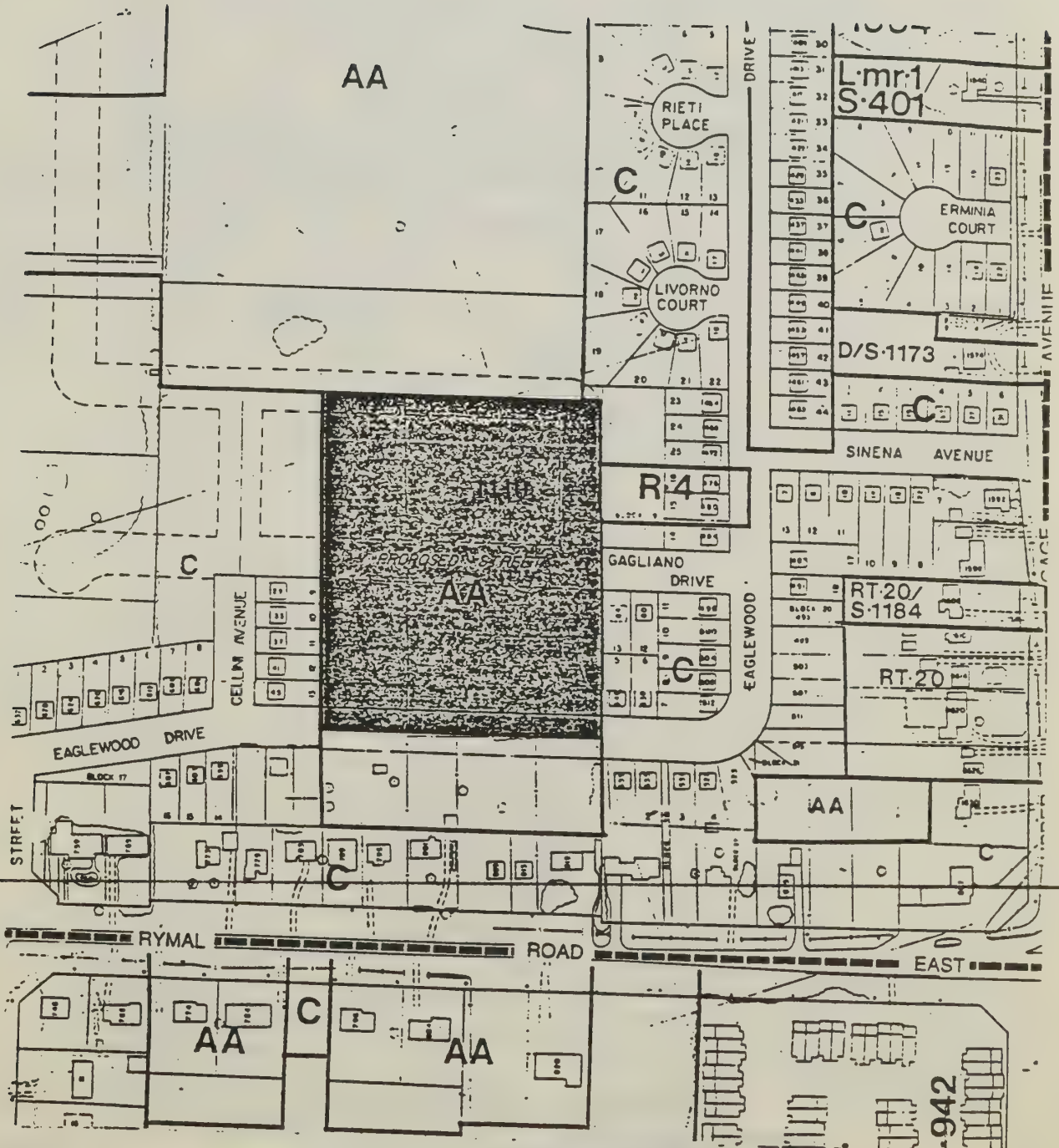
Although most of the recommendations in the final report of the Chairman's Task Force on Affordable Housing can be supported, a number of concerns are evident, primarily:

July 30, 1991

- 1) The proposed Regional Housing Commission would duplicate a number of housing initiatives currently undertaken by the City while the issue of accountability has not been addressed;
- 2) The use of the Residual Income Method is difficult to translate into definitive numbers of actual housing need in a community; and,
- 3) A number of proposed actions duplicate the current role of the Area Municipality in regard to land use planning initiatives.

Accordingly, the Region and Chairman's Task Force should be requested to provide further clarification on these concerns.

July 30, 1991

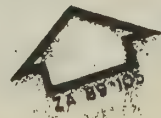


Legend



Site of the Application

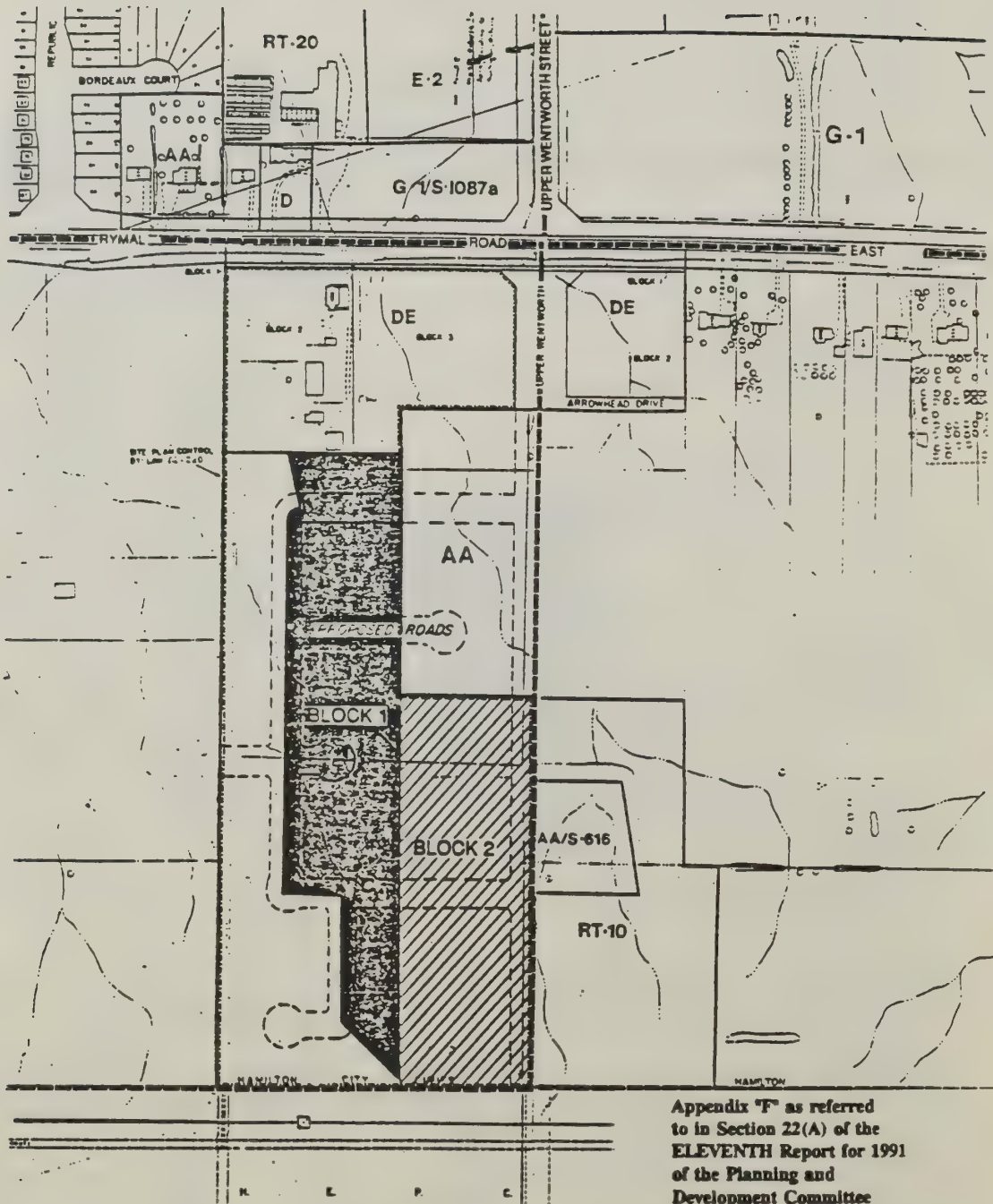
Appendix "E" as referred  
to in Section 21 of the  
ELEVENTH Report for 1991  
of the Planning and  
Development Committee



C1189



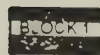
July 30, 1991



Appendix "F" as referred  
to in Section 22(A) of the  
ELEVENTH Report for 1991  
of the Planning and  
Development Committee

**Legend**

Proposed change in zoning from "C" (Urban Protected Residential, etc.) District to:



"R-4" (Small Lot Single-Family Detached) District.

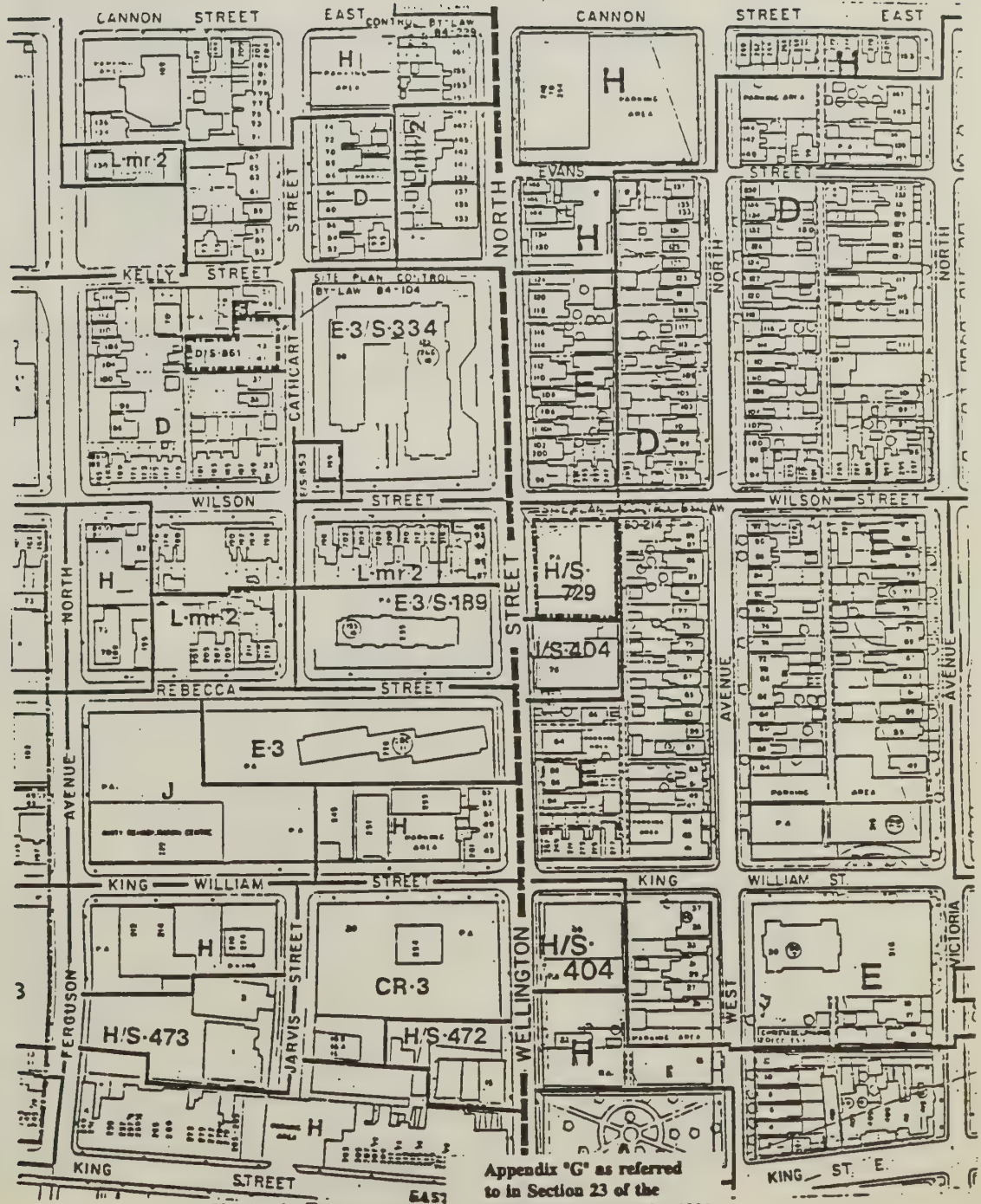


"RT-20" (Townhouse-Maisonette) District.

C 30

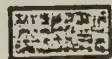


July 30, 1991



Appendix "G" as referred to in Section 23 of the ELEVENTH Report for 1991 of the Planning and Development Committee

# LEGEND



SITE OF THE APPLICATION

C 31

1112



July 30, 1991



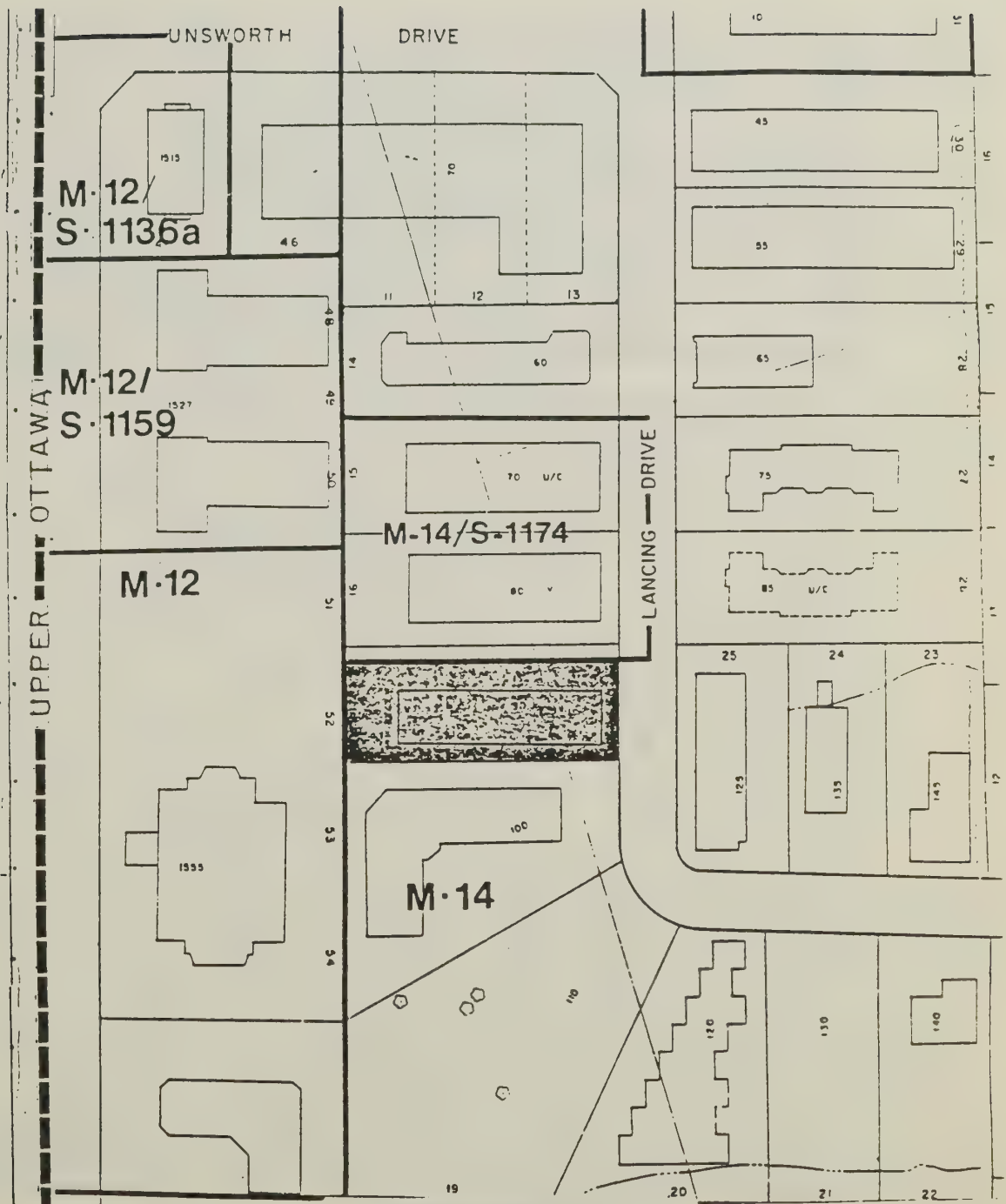
Appendix "H" as referred  
to in Section 24 of the  
ELEVENTH Report for 1991  
of the Planning and  
Development Committee

C 32





July 30, 1991



Appendix "I" as referred  
to in Section 25 of the  
ELEVENTH Report for 1991  
of the Planning and  
Development Committee

Legend

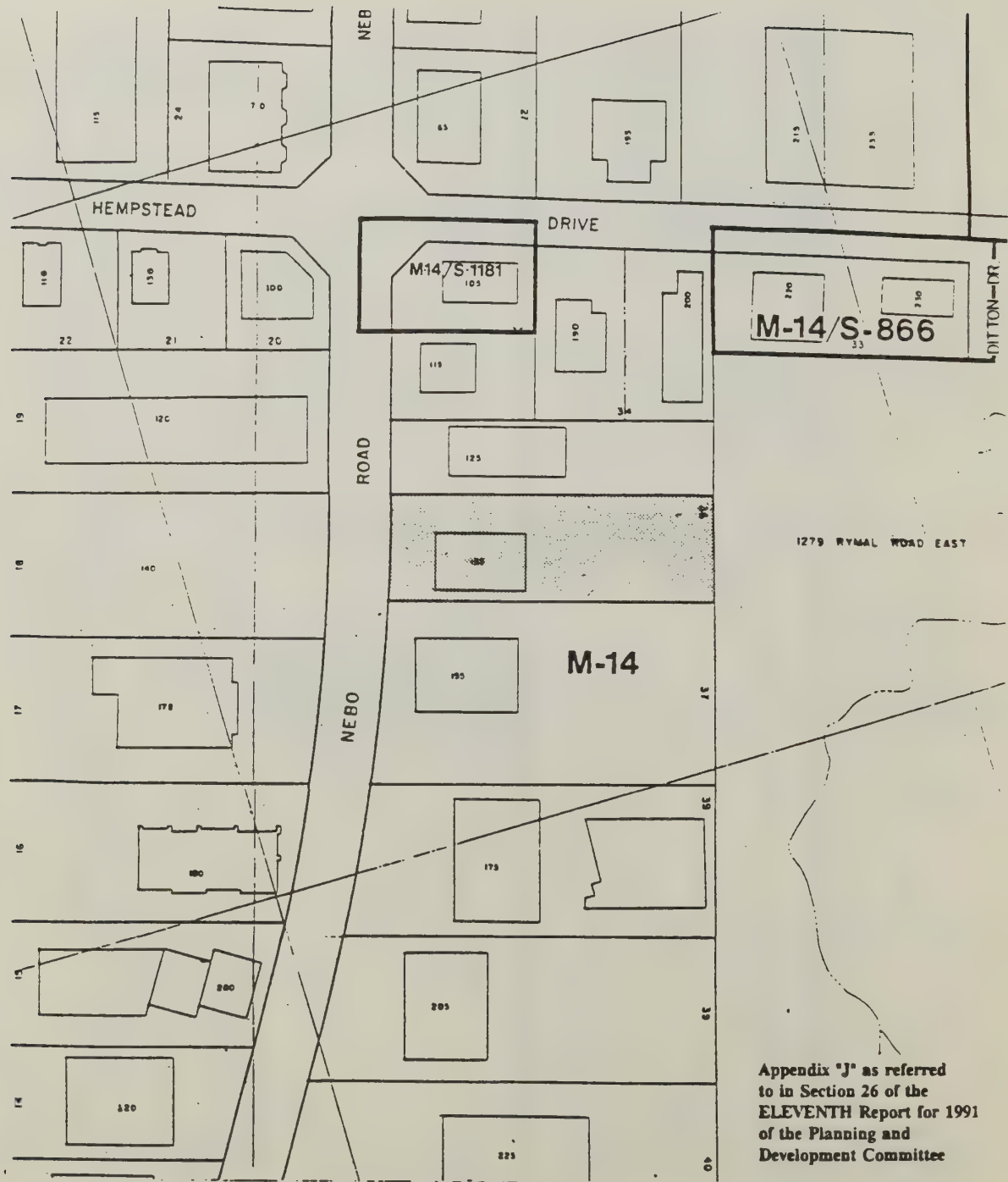


Site of the Application

C 38



July 30, 1991

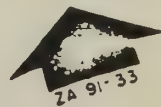


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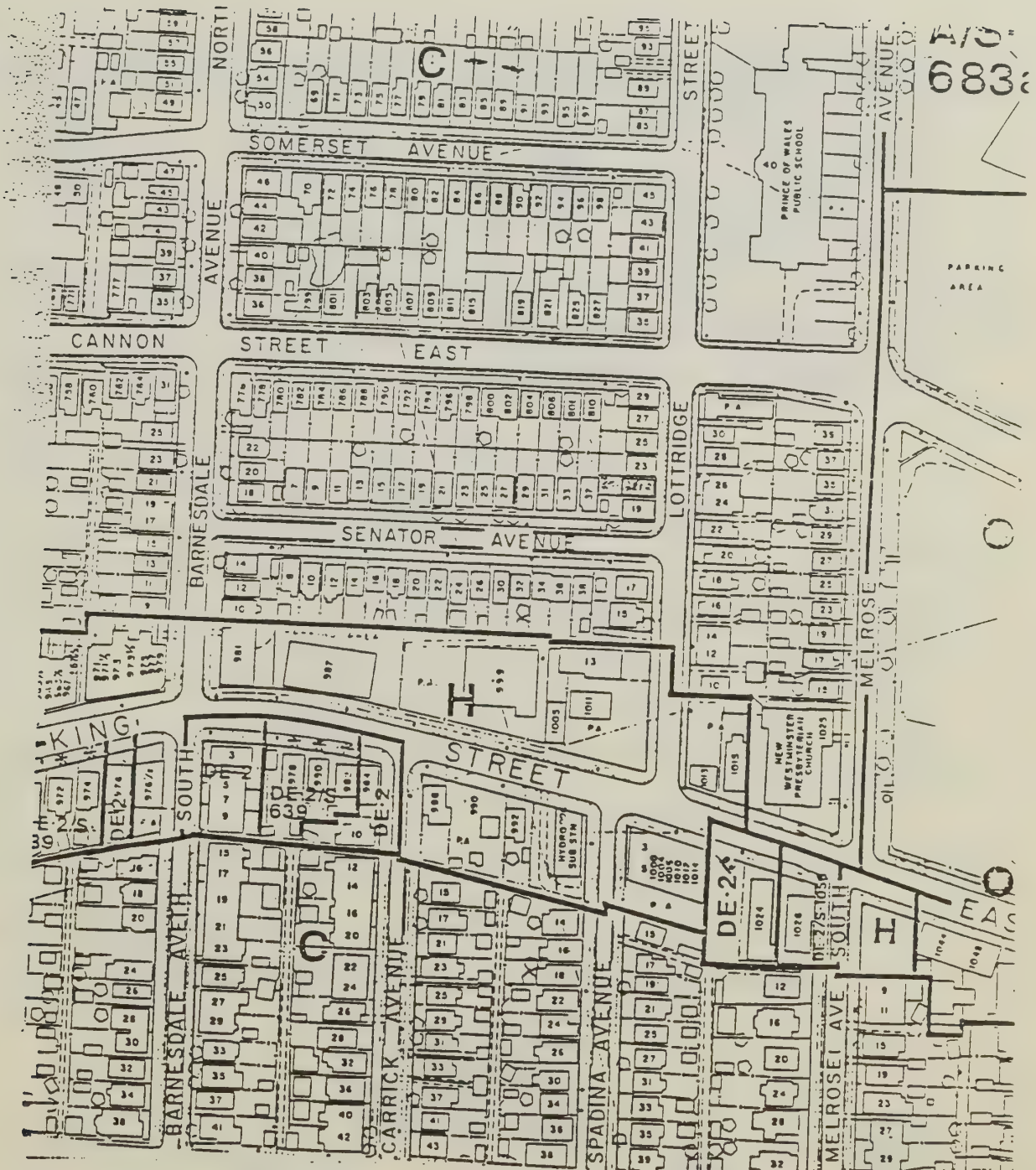
Site of the Application

C 84



Appendix "J" as referred  
to in Section 26 of the  
ELEVENTH Report for 1991  
of the Planning and  
Development Committee

July 30, 1991



Legend



Site of the Application

Appendix "K" as referred  
to in Section 27 of the  
ELEVENTH Report for 1991  
of the Planning and  
Development Committee

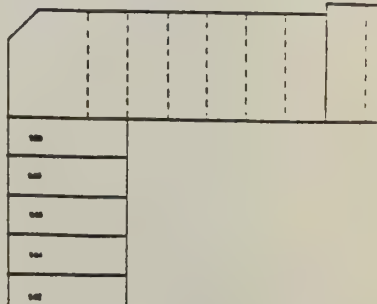
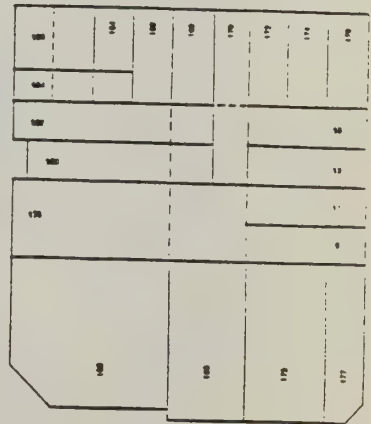
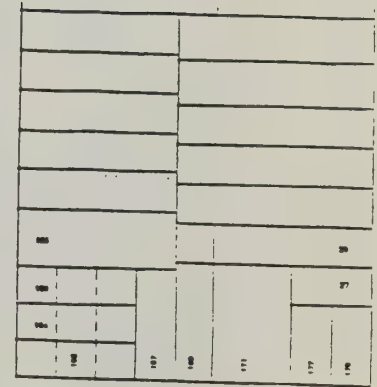
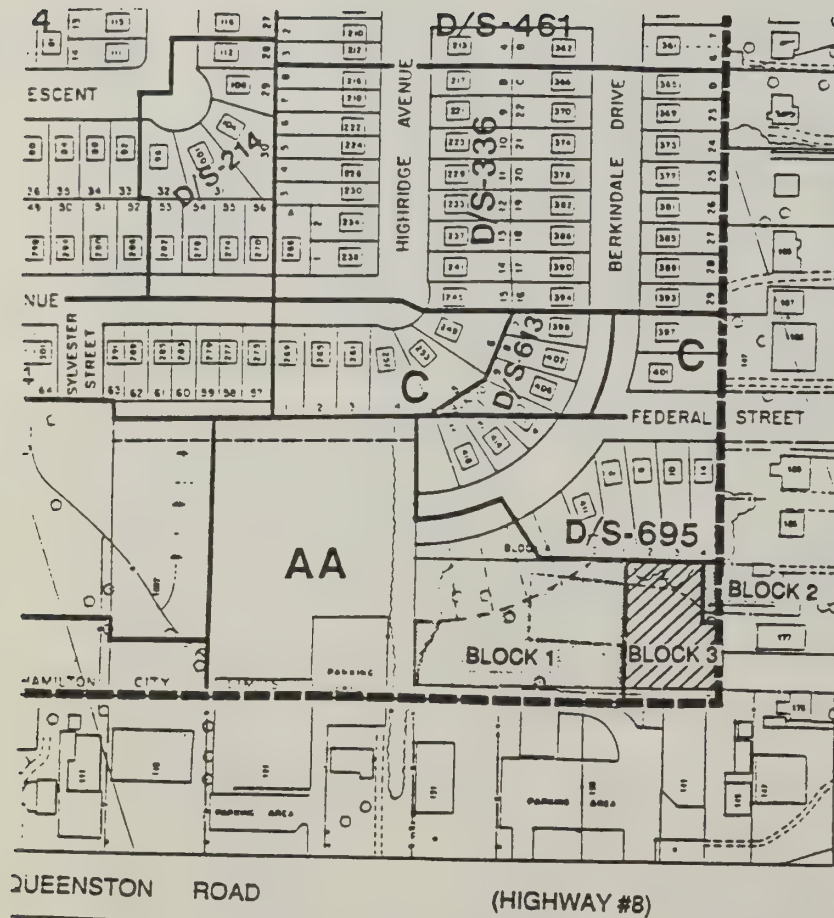
2A91-06



C 85



July 30, 1991



Appendix "L" as referred  
to in Section 28 of the  
ELEVENTH Report for 1991  
of the Planning and  
Development Committee

**Legend**

Proposed changes in zoning from:

BLOCKS 1 & 2



"AA" (Agricultural) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified.

BLOCK 3



"G-3" (Public Parking Lots) District, Modified to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified.

C 36

1117



### Legend

C 87

1118



July 30, 1991

## **REPORT OF THE INFORMATION SYSTEMS COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Information Systems Committee presents its **FOURTH** Report for 1991 and respectfully recommends:

1.     (a) That the Director of Information Systems be authorized to proceed with the Design and Detailed estimate stage for the computer relocation project at a cost not to exceed \$46,000.00;
- (b) That funding be provided from Account No. CF5450-2688-51001 (Computer Environment Improvements);
- (c) That no further expenditures be made with respect to the relocation of the computer until such time as the consultant and the Director of Information Systems report back to the Information Systems Committee on the total cost estimates of the computer relocation project.
2.     For the information of the members of City Council, the Committee approved the following:

The Director of Information Systems and Manager of Purchasing were authorized to proceed to call for Requests for Proposals to replace the two IBM central computer processors (4341 O12 and 4381-S92) with a single processor and to replace six 3380 Model E disk drives with used 3380 Model K or 3390 disk drives.

**Respectfully Submitted,**

**ALDERMAN J. GALLAGHER, CHAIRMAN  
INFORMATION SYSTEMS COMMITTEE**

**Susan K. Reeder  
Acting Secretary  
1991 July 22**



July 30, 1991

**REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **SECOND** Report for 1991 and respectfully recommends:

1. For the information of the members of City Council, the following citizen members have been appointed to serve on the Mayor's Race Relations Committee for the duration of this Council's term of office:

Ken Balasubramaniam

Michael Webber

This report is being sent to City Council in accordance with past practice. The revised Membership Guidelines and Associated Procedures for the Mayor's Race Relations Committee will become effective at the commencement of the next term of Council as adopted by City Council on 1991 March 26.

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Gallagher, Ross. -11.

NAYS: Alderman Murray. -1.

**CARRIED.**

**RESPECTFULLY SUBMITTED**

Robert M. Morrow  
Mayor

Stella Glover, Secretary  
Mayor's Race Relations Committee

1991 July 12

July 30, 1991

## **REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTEENTH** Report for 1991 and respectfully recommends:

1. That the list of Terminations from Permanent Positions with the Corporation to 1991 June 28, attached hereto and marked Appendix "A", be approved.
2. (a) That a six member Task Force be struck to review and report back to the Finance and Administration Committee on the Organizational Structure of the City's senior management.  
  
(b) That the following be appointed as members of the Task Force:

Mayor R. M. Morrow  
Alderman B. Hinkley  
Alderman D. Ross  
Alderman T. Cooke  
Alderman D. Agostino  
Alderman J. Gallagher

**RESPECTFULLY SUBMITTED,**

**ALDERMAN B. HINKLEY, CHAIRMAN  
FINANCE AND ADMINISTRATION COMMITTEE**

John Thompson, Secretary  
1991 July 02

Appendix "A" as referred to in  
 Section 1 of the FOURTEENTH Report  
 of the Finance & Administration  
 Committee for 1991.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Keith Avery	City Clerk	City Clerk's	Retired	41 years, 6 months	31/12/91
Mr. Edward Matthews	City Treasurer	Treasury	Retired 31/03/92	18 years, 9 months	31/12/91
Mr. Lou Sage	Chief Administrative Officer	C.A.O.	Retired	10 years, 11 months	31/12/91

July 30, 1991



## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTEENTH** Report for 1991 and respectfully recommends:

1. That a purchase order be issued to Wheels, Brake & Equipment, Burlington, in the amount of \$98,264.70 including all applicable taxes, being the only tender received, for the purchase of one (1) Vacuum Catchbasin Cleaner Body Assembly for Fleet Services, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through the Reserve for the Replacement of Mobile Equipment Account No. CH5X503 00101.
2. (a) That purchase orders be issued to Carter G.M. Trucks, Hamilton, for the replacement and purchase of six (6) two-way dump sanders with ploughs, being the lowest acceptable of ten (10) tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that items i), ii) and iii) be financed through the Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101, and item iv) be financed through New Equipment - Sander wing Plough Unit Account No. CF5500 609151005, as follows:
  - (i) In the amount of \$227,352.92 to replace two (2) units #9201/9660 54,000 lb. GVW tandem two-way dump trucks with front ploughs and wings
  - (ii) In the amount of \$216,990.26 to replace two (2) units #9647/75 54,000 lb. GVW tandem two-way dump trucks with underbody ploughs
  - (iii) In the amount of \$88,752.77 to replace one (1) unit #9678 35,000 lb. GVW tandem two-way dump trucks with underbody plough

- (iv) In the amount of \$108,495.13 to purchase one (1) unit, 54,000 lb.GVW tandem two-way dump truck with underbody plough
  - (b) That the additional \$18,500 required for item iv) for Project #74.0 be funded from the Reserve for Capital Projects - Centre #CH00203.
  - (c) That the gross cost of project #85.0 "Concrete Resource Recovery Pit at B.A. Court Yard be reduced by \$18,500 with that amount being transferred to the Reserve for Capital Projects - Centre #CH00203.
- 3. That a purchase order be issued to Taylor Chrysler Dodge, Hamilton, in the amount of \$119,213.60, including all applicable taxes, plus the cost to license, being the lowest of nine (9) tenders received to replace eleven (11) compact size passenger vehicles units #1301/3/7/13/2/6/46/71/421/2/54 for the City Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Account No. CH5X921 00101.
- 4. That a purchase order be issued to Hamilton Motor Products, Hamilton, in the amount of \$85,491, including all applicable taxes, plus the cost to license, being the lowest of nine (9) tenders received to replace six (6) mid size passenger vehicles units #1323/4/40/50/1/1423 for the City Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Account No. CH5X921 00101.
- 5.
  - (a) That permission be granted to the Arthritis Society of Hamilton to use the City Hall forecourt and related equipment on Thursday, 1991 September 05 from 12:00 noon to 1:30 p.m. for the launching of Arthritis Month.
  - (b) That permission be granted to fly the Arthritis Society Bluebird flag at City Hall from Thursday, 1991 September 05 until Monday, September 30.
  - (c) That the City Clerk be granted the authority to approve of a similar use in future years, provided it does not interfere with any other activity.

6. (a) That permission be granted to Wilfred Laurier University Alumni Association to use the City Hall Council Chamber on Tuesday, 1991 August 13 from 7:00-9:00 p.m. for an orientation evening for parents and freshmen from the Hamilton area who will be attending Wilfred Laurier University.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years, provided it does not interfere with any other activity.
7. That permission be granted to the Big Brother Association of Burlington and Hamilton-Wentworth Inc. to use the City Hall parking lot (directly siding onto Bay Street) on Sunday, 1991 September 29 from 9:00 a.m. to 4:00 p.m. for a pit area and barbecue during their Soap Box Derby as a closing event to Big Brother Month.
8. (a) That the Manager, Property Maintenance Division be authorized and directed to erect a reviewing stand and all other pertinencies on the north east corner of Main and Bay Streets on 1991 Monday, September 02 on the occasion of the Labour Day Parade.
- (b) The permission be granted to the Hamilton and District Labour Council to lay a wreath in front of the Monument to Workers on the City Hall property as part of the Labour Day Parade ceremonies.
- (c) That the City Clerk be granted the authority to approve of a similar use in future years, provided it does not interfere with any other activity.
9. (a) That permission be granted to the Hamilton Black Ribbon Day Committee to use the City Hall forecourt and, in the event of inclement weather the Council Chamber, on Friday, 1991 August 23 from 5:30 p.m. to 7:00 p.m. for a rally to mark the 6th Annual International Black Ribbon Day.
- (b) That the flags of the following Black Ribbon Day Committee member nations be flown at City Hall from 1991 August 22 to 24:

Estonia

Latvia

Lithuania

Ukraine

Poland

Czechoslovakia

Hungary

Romania



10. That approval be given to the action taken by the City Clerk in authorizing The Hamilton Board of Education to use City Hall meeting rooms on 1991 July 2, 3 and 4 for a team working on the development of a Race Relations Policy for the Board of Education as follows:

1991 July 2 - Room 219 - 8:30 a.m. - 1:00 p.m.

1991 July 3 - Room 264 - 8:30 a.m. - 11:45 a.m.

1991 July 4 - Room 264 - 8:30 a.m. - 1:00 p.m.

11. That approval be given to the action taken by the Finance and Administration Committee in authorizing the Boris Brott Summer Music Festival to erect a "Renaissance" sign on the City Hall forecourt to draw attention to the Boris Brott Summer Music Festival which will run from 1991 June 8 to August 24.
12. That approval be given to the action taken by the Finance and Administration Committee in authorizing the Hamilton Chapter of Ontario Friends of Schizophrenics to use the City Hall second floor for a wine and cheese reception held on 1991 July 11 from 4:00 p.m. to 6:30 p.m. for the announcement and launch of a fundraising art draw.
13. That civic gold pins be awarded to the following members of the Cardinal Newman Express Boys' Soccer Team for winning the Ontario Federation of Secondary Schools Athletic Association (OFSAA) Soccer Championships for 1991:

Joseph Basic

Jerry Cagalj

Jerry Cipriani

Gary Demedeiros

Marco DiMarco

Vince Iacozza

Tom Karaula

Ante Kutesa

John Mayich

Kevin Moravic

Rob Pomahac

Paul Toffolon

John Benko

Marco Cavallaro

Ante Culina

Dino DeMarantonio

Denis Dujela

Gilbert Janear

Adam Kolodziej

Dino Leo

John Majpruz

Vincent Perri

Dan Smukavich

Steve Turchet

July 30, 1991

Coaches:

Carmen Dalia

Marc Kovacs

Manager:

Sam Migliaccio

14. That the Council of the Corporation of the City of Hamilton advise the Liquor Licence Board of Ontario that it is aware of the reception of the Commonwealth Pharmaceutical Association Conference being held outdoors on the Plaza area of Jackson Square on 1991 August 25 and has no objection to the issuance of a Special Occasion Permit.
15.
  - (a) That additional repairs to the Truck Frame, Pump House Structure, and Fuel Tanks to Fire Department Pumper #11 in the additional amount of \$4,010. be approved.
  - (b) That this expenditure be charged to Account No. CH 5X522 00103 Reserve for Major Vehicle Repairs.
  - (c) That the total repair cost of \$58,009. to Fire Department Pumper #11 (including \$53,999. for the original approved repair expenditure) be added to the original cost (being \$109,588.) of the Pumper #11 (Vehicle No. 1662) for depreciation purposes.
16. That, as referred to in Section 15 of the TENTH Report of the Transport and Environment Committee, the estimated amount of \$700,000. required to fund the Supplementary Road Programme be accommodated within the existing 1991 Reconstruction Program, Centre No. CF 529142001.

17. (a) That the Summary of Capital Projects in Progress as at 1991 May 31, attached hereto and marked Appendix "A", be received for information.
- (b) That approval be given to the removal of the following projects from this Status Report as they have been satisfactorily completed and, that they be deleted from Treasury records as at 1991 July 31:

<u>No.</u> (1)	<u>Description</u> (2)	<u>Gross Cost</u> (3)
108	High Level Bridge Street Lighting	155,000.
114	Albright Road Extension	104,000.
267	Public Works Equipment - Vacalls, Steam Jenny, Elephant Vacs	222,000.
268	Underground Fuel Tanks - Various Locations	130,000.
352	King's Forest Parking Lot Improvements	96,000.
353	Bocci Courts at McCulloch, Manson and Rosedale	45,000.
385	Floodlighting - Sam Mason Park	86,000.
387	Gage Park - Perennial Borders	22,000.
392	Churchill Lawn Bowling Club - Lighting System and Replacement	31,000.
702	Downtown Action Plan - Phase II	1,603,000.
704	James Street North Streetscape	1,994,000.

18. (a) That an Authority to Enter City property at the south/east corner of Upper Ottawa and Limeridge Road (No. 5 Fire Station), executed by Regional Officials on 1991 January 29, for the construction of a detour and watermain required for the Red Hill Creek Expressway Project, commencing on the day following City Council approval, until completion of the necessary works, be approved.
- (b) That the Mayor and City Clerk be authorized to execute the necessary documents.



19. That the Lease Agreement approved by City Council at its meeting held 1981 March 31, in adopting Section 2 of the Eighth Report of the Finance Committee, entered into with Winco Steak N' Burger be terminated and that the City Solicitor be authorized to take the necessary action to terminate the lease and recover the \$18,000. in arrears.
20.
  - (a) That the Corporation of the City of Hamilton exercise its option to retain the services of Off-Site Resources Inc. for the Employee Assistance Program for years two and three.
  - (b) That years two and three cover the period commencing 1991 July 1 and ending 1993 June 30.
  - (c) That the monthly fee for years two and three be calculated based on the employee population on 1991 July 1 and 1992 July 1.
21. That the salary classification for the following non-union position in the Building Department be approved in accordance with Section 12 of the Fifth Report of the Planning and Development Committee adopted by City Council on 1991 March 26.

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary</u>
Supervisor of Customer Service	To assist the Manager of Customer Services in providing a living environment free of safety, health and fire hazards through plan examination, and advising design professionals on regulatory requirements.	J	\$51,218.96- \$60,379.28

22. That the following salary classification be approved:

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary</u>
Senior Systems Analyst	Plan, design, analyze and co-ordinate the development, implementation and maintenance of multi-user, multi-task on-line and batch processing computer systems.	I	\$52,490.88- \$61,850.88

23. That Article 2 of the Manual of Procedures for the Joint Job Evaluation Programme, approved by City Council on 1991 March 5, in adopting Section 2 of the Fourth Report of the Financial and Administration Committee, be amended by adding the following paragraph in the section entitled Joint Job Committee:

"Notwithstanding the foregoing, the Employer shall maintain two (2) Management representatives, during the hearing of appeals arising from the installation of the Joint Job Evaluation Programme. All decisions and agreements of the Committee shall be by consensus or by majority vote of 4 to 1".

24. That the contract settlement of the Provincial Agreement for Ontario Marble, Tile, Terrazzo, Cement Masons, Resilient Floor Layers and Their Helpers - The International Union of Bricklayers and Allied Craftsmen and the Ontario Provincial Conference of the International Union of Bricklayers and Allied Craftsmen and the Terrazzo, Tile and Marble Guild of Ontario, Inc., Local Union 16, be received pursuant to the Fair Wage Policy of the City of Hamilton.
25. That the Appointments To and Terminations from Permanent positions with the Corporation to 1991 July 16, attached hereto and marked Appendix "B", be approved.

26. (a) That the City Solicitor be authorized and directed to prepare a By-law to Replace Schedule 19, To Licensing By-law 79-323 Respecting Bill Posters and Bill Distributors, Etc. for presentation to City Council.
- (b) That, upon enactment of the By-law, a letter be forwarded to Canada Post Corporation ("Canada Post") requesting voluntary compliance with the provisions of the By-law in the delivery of advertising flyers and handbills.
- (c) That the Honourable Harvie Andre, Minister responsible for Canada Post Corporation, be requested once again to amend the Canada Post Corporation Act, Revised Statutes of Canada 1985, Chapter C10, to require compliance with Municipal By-laws regulating the distribution of flyers and advertising material.

**Recorded Vote.**

**YEAS:** Aldermen Kiss, Copps, Wilson, Jackson. -4.

**NAYS:** Mayor Morrow, Alderman Agro, McCulloch, Drury, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -10. **LOST.**

27. That the resolution from the City of Toronto respecting the Provincial Government removing the Oath of Allegiance to the Crown for all police officers in the Province of Ontario, attached hereto and marked Appendix "C", be endorsed.
28. That the following resolution from the City of Cambridge respecting the Ontario Labour Relations Act Reform be endorsed:

"WHEREAS the Ontario Government has received the report of the Labour Relations Act Reform Committee, and;

WHEREAS the Labour Relations Reform Committee report includes a number of recommendations to amend the Labour Relations Act, and;

WHEREAS the proposed changes to the Labour Relations Act have potentially far reaching effects on union/management relationships including those in the municipal public sector;



BE IT RESOLVED therefore that the City of Cambridge hereby requests the Province of Ontario to undertake a broad consultation process with all potentially affected parties prior to the introduction of any legislation to amend the Ontario Labour Relations Act, and further;

Council hereby directs that a copy of this resolution be circulated to all municipalities in the Province of Ontario with a population of 50,000 or more, to the Premier of the Province, the Minister of Labour, our M.P.P. (Mr. Mike Farnan) and to the other M.P.P.'s in the Region of Waterloo."

29. That a contribution in the amount of \$2,000. be made to the President's Advisory Committee on Community Relations, McMaster University, to be used towards the cost of producing and distributing a Neighbours Handbook containing important information such as relevant by-laws and names and numbers of key university and City officials to contact with enquiries, and that this expenditure be funded from Unclassified Expenditure Account No. CH50010 24201.
30. (a) That approval be given to put into place the non-use of sexist language in all meetings of City Committees, Council and in the administration of all City business in City Hall and elsewhere.

**Recorded Vote**

**YEAS:** Mayor Morrow, Aldermen Kiss, Drury, Wilson, Jackson. - 5.

**NAYS:** Aldermen McCulloch, Copps, Lombardo, Formosi, Merling, Murray, Ross. -7. **LOST.**

- (b) That a Committee consisting of members of the Hamilton Status of Women Sub-Committee and two (2) members of the Finance and Administration Committee be established to draft a policy on the non-use of sexist language.

**Recorded Vote**

**YEAS:** Mayor Morrow, Aldermen Kiss, Drury, Wilson, Jackson. - 5.

**NAYS:** Aldermen McCulloch, Copps, Lombardo, Formosi, Merling, Murray, Ross. -7. **LOST.**

31. (a) That a staff committee representing the Treasury, Planning, Culture and Recreation, Public Works, Fire, Traffic, and Building Departments and the Hamilton Public Library, chaired by the Building Commissioner, be established to review development proposals involving infill situations or conversions of existing buildings to determine whether the development will increase the demand for municipal services and hence whether a development charge is applicable under Development Charges By-law 90-74.
- (b) That development proposals from the Agomen Group for 303-307 King Street East and 929-931 Fennell Avenue East be forwarded to the staff committee for review.
32. (a) That the City of Hamilton settle Ontario Court (General Division) Action No. 11210/88 by the payment to the Plaintiff, Edith Rice, of the sum of \$18,022.33 inclusive of all damages, interest and costs.
- (b) That the Plaintiff be required to provide a Full and Final Release in a form satisfactory to the City Solicitor.
- (c) That Ontario Court (General Division) Action No. 11210/88 be dismissed without costs.
33. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 2756/87 by the payment to the Plaintiffs, Gurdeep Ryatt and Tarsemlal Ryatt, of the sum of \$47,426.22 inclusive of all damages, interest and costs.
- (b) That the Plaintiffs be required to sign a Full and Final Release in a form satisfactory to the City Solicitor.
- (c) That Ontario Court (General Division) Action No. 2756/87 be dismissed without costs.
34. (a) That the City of Hamilton make an Offer to Settle in Ontario Court (General Division) Action No. 2473/83, to resolve the action upon payment to the City of Hamilton of \$38,500.00 inclusive of damages, interest and costs.



- (b) That Ontario Court (General Division) Action No. 2473/83, and all cross and counter-claims be dismissed without costs.
- 35.
- (a) That the City of Hamilton resolve Ontario Court (General Division) Action No., 27886/91 by payment of \$60,110.24 to the Plaintiffs, Clara Pascal and Claudine Pascal, inclusive of all damages, interest and cost.
  - (b) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the City Solicitor.
  - (c) That Ontario Court (General Division) Action No. 27886/91 be dismissed, as against the City of Hamilton, without costs.
- 36.
- (a) That the Fire Chief be authorized to offer, on a one time basis, early retirement to members of the Hamilton Fire Department who are eligible for such early retirement under either the Hamilton Municipal Employees Retirement Fund or the Ontario Municipal Employees Retirement System.
  - (b) That in order to encourage employees to accept said offer, the Fire Chief be authorized to offer the following enhancements:
    - (i) A financial package providing for installment payments of \$3,000. per year for employees choosing to leave voluntarily up to five years prior to their regular retirement date.
    - (ii) Employees would elect to take the payments either in annual amounts or in a lump sum which would be discounted to its present value, or in monthly payments through the pension fund.
    - (iii) The maximum amount payable to a single employee leaving five years in advance of normal retirement would be \$15,000. while the minimum amount payable to an employee leaving one year in advance of normal retirement would be \$3,000.
    - (iii) An employee's eligibility and the amount of enhancement would be established upon the date of request and would not be affected should The Corporation agree to a later retirement date due to training constraints.



July 30, 1991

37. For the information of the Members of City Council, the Finance and Administration Committee, at its meeting held 1991 July 25, approved of the appointment of Ms. Schellie Maybee and Ms. Carole Marie Zoghaib as citizen members of the Hamilton Status of Women Sub-Committee, to fill two vacancies created by resignations for a term to expire 1991 November 30.

38. That leave be granted to introduce the following Bills:

**Bill H-33** A By-law to Authorize Major Maintenance to Civic Buildings.

**Bill H-34** A By-law to Authorize the Hydro Street Lighting Conversion to High Pressure Sodium.

**Bill H-35** ~~DELETED.~~

**Bill H-36** A By-law to Authorize Renovation and Retrofit of the Huntington Park Recreation Centre.

**Bill H-37** A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN B. HINKLEY, CHAIRMAN  
FINANCE AND ADMINISTRATION COMMITTEE**

John Thompson, Secretary  
1991 July 25

City of Hamilton  
Treasury

## SUMMARY OF CAPITAL PROJECTS IN PROGRESS

July 30, 1991									
Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)				Is the Project on Target?		Centre Number (10)	
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Timing (8)		
		Start (3)	Finish (4)						
									Yes or No (9)
<u>General Administration</u>									
4	Office Renovation - Treasury Dept.	1991	1992	400	-	400	Yes	CF 319141005	
5	Security Improvements - City Hall	9/91	12/91	100	-	100	Yes	CF 319141004	
6	Construction Cost for Accommodation - City Hall	10/91	3/92	100	-	100	Yes	CF 319141003	
7	Replacement of Pool Filtration System - Central Memorial Recreation Centre	06/91	09/91	200	140	60	Yes	CF 319151002	
8A	Major Maintenance to Civic Buildings	1991	1992	750	-	750	Yes	CF 319141001	
8B	Relocation of Info. Systems Computer	1991	1992				No	CF 319141001	
8C	Sprinkler System-Central Services Bldg	1991	1992				Yes	CF 319141001	
9	Data Base and Fourth Generation Computer	1/86	12/93	550	348	202		CF 268651002	
10	Alterations to Recreational Buildings for Handicapped Access	09/86	6/92	100	15	85	No	CF 708641003	
11	Energy Conservation Projects	05/86	12/91*	50	39	11	Yes	CF 328641001	
13	Workstation Furniture (1989)	1/89	12/91	75	62	13		CF 268951001	
17	Treasury Department - Computer Software	08/87	12/91*	142	57	85	Yes	CF 268751002	
25	Computer Software	11/88	12/92	125	16	109	Yes	CF 258851002	
27	Computer Environment Improvements	11/88	12/91*	50	4	46	Yes	CF 258851001	
33	Computer Software Project	1/90	12/92	150	5	145	Yes	CF 259051015	
35	Energy Conservation Project	11/89	1991	50	47	3	Yes	CF 318941016	
36	Major Maintenance To City-Owned Buildings	10/89	1991*	250	94	156	Yes	CF 319041003	

Appendix "A" as referred to in  
Section 17 of the FIFTEENTH Report  
of the Finance & Administration  
Committee for 1991.

City of Hamilton  
Treasury

## SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at May 31, 1991

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Centre Number (10)
		Start (3)	Finish (4)				Timing (8)	Yes or No (9)	
<b>General Administration-Ctd.</b>									
(1-50)									
37	Computer Software	01/90	12/91*	125	11	114	Yes	Yes	CF 259051013
38	Accommodation Requirements - Law Department	05/91*	11/91*	175	33	142	Yes	Yes	CF 319041004
39	Hamilton Housing Company - Macassa Park Apts. - Replace Heating and Electrical System	1991*	1991*	165	-	165	Yes	Yes	CF 319041005
40	Asbestos Abatement Program	1990	1992	550	19	531	Yes	Yes	CF 319041007
42	Computer Workstation Furniture	01/90	12/91*	50	34	16	Yes	Yes	CF 259051012
43	Accommodation Requirements - City Hall	1991*	1992*	150	-	150	Yes	Yes	CF 319041002
46	Major Maintenance to Civic Buildings - 1989 Allocation	10/89	1991	250	75	175	Yes	Yes	CF 318941003
<b>Protection to Persons &amp; Property</b>									
(51-100)									
52	Fire Station - Upper Sherman and Pennell - Land Acquisition	05/91	05/92	800	-	800	Yes	Yes	CF 489150001
53	Computer Aided Dispatch	06/91	12/93	1,300	-	1,300	Yes	Yes	CF 489151003

July 30, 1991



City of Hamilton  
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**SUMMARY OF CAPITAL PROJECTS IN PROGRESS**

as at May 31, 1991 (000's)									
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Centre Number (10)
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
<b>(81-100) Protection to Persons &amp; Property-Ctd.</b>									
54	Breathing Apparatus Conversion	04/91	1993	750	53	697	Yes	Yes	CF 489151004
55	Public Safety Trunking Radio	10/91	03/93	2,500	2	2,498	Yes	Yes	CF 489151023
56	Fire Stn. Stone Church & Upper Wellington - Construction	05/89	05/91	1,400	1,376	24	Yes	Yes	CF 488941001
<b>(101-150) Engineering</b>									
102	1991 Reconstruction Program	01/91	12/92	9,400	7,848	1,552	Yes	Yes	CF 529142001
103	Road Access - Riverdale East Neighbourhood	08/86	12/91*	445	278	167	Yes	Yes	CF 528643006
104	1991 Catch Basin and Drain Connection	01/91	12/91	160	-	160	Yes	Yes	CF 529149005
105	Storm Management Projects	09/91	12/91	127	-	127	Yes	Yes	CF 529149008
109	1988 Reconstruction Program	01/88	12/91*	7,695	7,432	263	Yes	Yes	CF 528842001
									to CF 528842047
110	Replacement of Traffic Operations Centre	09/88	03/92	6,830	5,170	1,660	Yes	Yes	CF 758841001
111	Greenhill Ave. Construction of Finished Roadway, Curbs & Sidewalks	08/88	12/91*	860	626	234	Yes	Yes	CF 528843002
112	Storm Drainage Projects	12/88	12/91	180	66	114	Yes	Yes	CF 528849001
113	1989 Reconstruction Program	01/89	12/91	8,200	7,063	1,137	Yes	Yes	CF 528942001
									to CF 528942056

City of Hamilton  
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## SUMMARY OF CAPITAL PROJECTS IN PROGRESS

as at May 31, 1991 (000's)										July 30, 1991	
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Centre Number (10)		
		Start (3)	Finish (4)				Timing (8)	Budget (9)			
<b>(101-150) Engineering - Ctd.</b>											
115	1990 Reconstruction Program	03/90	12/92*	8,800	7,936	864	Yes	Yes	CF 529042001		
116	Catch Basin and Drain Connections	03/90	12/91	150	-	150	Yes	Yes	CF 529043007		
<b>(201-250) Parking Authority</b>											
201	Parking Facilities - Property Acquisition	02/84	Unknown	1,700	1,431	269	No	Yes	CF 708445001		
202	Construction of Parking Facilities	09/85	1991	590	585	5	Yes	Yes	CF 908545001		
211	Upgrade Existing Parking Facilities	1990	1991*	100	78	22	Yes	Yes	CF 909045003		
212	Study and Design - Existing and Future Parking Projects	1990	1991*	50	-	50	Yes	Yes	CF 909045004		
214	Land Acquisition - Various	1990	1991*	400	300	100	Yes	Yes	CF 909045008		
216	Land Acquisition General	1991	1991	400	-	400	No	No	CF 909145001		
217	Demolition and Site Preparation	1991	1992	275	-	275	Yes	Yes	CF 909145002		
218	Upgrading of Existing Parking Facilities	1991	1992	100	32	68	Yes	Yes	CF 909145003		
219	Study and Design - Existing and Future Parking Projects	1991	1992	50	-	50	Yes	Yes	CF 909145004		

July 30, 1991

City of Hamilton  
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SUMMARY OF CAPITAL PROJECTS IN PROGRESS

as at May 31, 1991 (000's)										
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Centre Number (10)	
		Start (3)	Finish (4)				Timing (8)	Yes or No (9)		
<b>(251-300) Department of Public Works</b>										
252	New Equipment - Sander Wing Plow Unit		12/91	90	-	90	Yes	Yes	CF 609151005	
253	New Equipment - Street Sweeper		12/91*	130	-	130	Yes	Yes	CF 609151006	
254	New Equipment - Self Mounted and Power Road Direction		09/91	50	32	18	Yes	Yes	CF 609151007	
255	New Equipment - Concrete Grinder		12/91	35	-	35	Yes	Yes	CF 609151008	
256	Concrete Resource Recovery Pit - Bernie Harbour Court Yard	05/91	12/91	300	-	300	Yes	Yes	CF 609151009	
257	Major Maintenance Grounds			50	-	50			CF 609143011	
258	Hydro Street Lighting Conversion to High Pressure Sodium	05/91	12/91	1,102	-	1,102	Yes	Yes	CF 609143007	
259	Various Lots - Construction/Repairs			114	26	88	Yes	Yes	CF 609145012	
260	Fleet Services - Shop Equipment		12/91	39	32	7	Yes	Yes	CF 649151010	
269	Renovations to Office & Yard & Ventillation System									
	- Fleet Services	03/90	12/91*	169	113	56	Yes	Yes	CF 649041012	
270	Upper Ottawa Depot	03/90	12/91	359	38	321	Yes	Yes	CF 609041009	
271	Construct/Repair Parking Lots	03/90	08/91*	107	95	12	Yes	Yes	CF 629045009	
272	Emergency Crest Stabilization	04/90	12/91*	429	368	61	Yes	Yes	CF 629049003	



City of Hamilton  
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**SUMMARY OF CAPITAL PROJECTS IN PROGRESS**

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)					Is the Project on Target? Yes or No	Centre Number (10)	
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)			
		Start (3)	Finish (4)						
									Timing (8)
<b>(301-350) Department of Culture &amp; Recreation</b>									
301	Pier Four Park - Harbour Front	09/91	12/93	1,000	-	1,000	Yes	CF 419154007	
302	Huntington Park Renovation/Retrofit	01/92	10/92	3,200	-	3,200	Yes	CF 709141016	
303	Hamilton Tennis Building Replacement	1991	unknown	300	-	300	Yes	CF 709141008	
304	Dundurn Cockpit Restoration	07/91	1993	280	-	280	Yes	CF 719141008	
305	Whitehern Restoration	07/91	1993	500	-	500	Yes	CF 719141007	
306	Dundurn Castle Restoration	07/91	1993	600	-	600	Yes	CF 719141002	
307	Hamilton Playstructure Development	1991	1995	200	104	96	Yes	CF 709152001	
309	West Mountain Twin Pad Arena	1990	1992	9,688	38	9,630	No	CF 709041002	
311	Bike Paths (Phases 2, 3 & 4)	05/87	Unknown*	990	143	847	Yes	CF 708743001-002	
315	Senior Citizens Drop-In-Centre (Lake Avenue)	05/88	12/91	100	8	92	Yes	CF 708941003	
318	Y.W.C.A. Capital Grant (1989 to 1993)	01/89	12/93	750	300	450	Yes	CF 259041006	
319	Hamilton Playstructure Development - 1991	11/90	11/92	200	104	96	N/A	CF 709152001	
321	Senior Citizens Centre	1990	1990	3,500	183	3,317	No	CF 709041013	
322	Twinning Mountain Arena			2,012	1,857	155	Yes	CF 709041011	

City of Hamilton  
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**SUMMARY OF CAPITAL PROJECTS IN PROGRESS**  
(000's)

as at May 31, 1991

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Centre Number (10)
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
(351-400) Parks Division									
351	Renovate Chedoke Golf Course Parking Lot		10/91*	204	99	105	Yes	Yes	CF 628945001
356	Chedoke Golf Course Storage and Workshop	06/88	06/92	161	-	161	No	Yes	CF 628641001
357	Ivor Wynne Stadium Artificial Turf Replacement	05/91	06/91	1,405	1,208	197	Yes	Yes	CF 629154008
358	Gage Park Pathway Lighting Phase III	06/91	09/91	31	-	31	Yes	Yes	CF 629154006
359	Victoria Park Floodlighting	03/91	05/91	55	-	55	Yes	Yes	CF 629154005
360	Park Development and Redevelopment by Priority	01/91	06/92	1,214	-	1,214	Yes	Yes	CF 629154004
361	Chedoke Golf Course - Repair to Gabion Wall	1991	1992	60	-	60	Yes	Yes	CF 629154003
362	Ivor Wynne Stadium - Replace Lighting	1991	1991	52	-	52	Yes	Yes	CF 629154002
363	Mohawk Sports Park Construction of Utility Building	07/87	10/91*	222	193	29	Yes	Yes	CF 628754001/004
364	Ivor Wynne Stadium Renovations and Repairs	1991	1991	159	-	159	Yes	Yes	CF 629154001
365	Mohawk Sports Park Floodlighting and Bleachers - Track Review	1991	1991	470	-	470	Yes	Yes	CF 619154011

City of Hamilton  
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SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)				Balance Available (7)	Is the Project on Target?		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)		Yes or No		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
<b>(351-400) Parks Division-Ctd.</b>									
368	Mountain Drive Park Repairs	05/88	12/91*	100	24	76	Yes	Yes	CF 628854003
372	T.B. McQueston Park Development - Stage 1	05/88	12/92	50	40	10	Yes	Yes	CF 628854004
378	Mohawk Sports Park, Irrigation System, Bleachers and Floodlighting	05/89	12/92	400	143	257	Yes	Yes	CF 628954001
379	Sam Lawrence Park - Upgrading	05/89	12/93	2,325	442	1,883	Yes	Yes	CF 628954002
381	Park Development and Redevelopment by Priority	05/89	10/91*	488	459	29	Yes	Yes	CF 628954007
384	Renovations/Repairs - Ivor Wynne Stadium	03/90	08/91*	345	179	166	Yes	Yes	CF 629054017
386	Park Development and Redevelopment	03/90	08/91*	1,288	895	393	Yes	Yes	CF 629054012
388	Red Hill Creek Master Plan Implementation	03/90	06/91	1,157	109	1,048	Yes	Yes	CF 629054013
389	T.B. McQueston Park Development	03/90	? *	170	136	34	Yes	Yes	CF 629054014
390	Fieldhouse - Mohawk Sports Park	03/90	12/91	440	29	411	Yes	Yes	CF 629054018
391	Facilities Building - Gage Park	03/90	12/91*	460	35	425	Yes	Yes	CF 629054019
393	Mountain Park - Crest Stabilization Plan	03/90	12/92	250	-	250	Yes	Yes	CF 629049004



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SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)  
as at May 31, 1991

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Centre Number (10)
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
(401-450) H.E.C.F.I.									
(401-410) Corporate									
402	Automated Facilities Management System - Corporate	04/91	12/91	75	-	75	Yes	Yes	CF 929151020
405	Automated Facilities Management Computer System	10/90	12/91	75	25	50	Yes	Yes	CF 929051006
406	T.V. Monitor Message System	06/89	12/91*	50	-	50	Yes	Yes	CF 928941007
(411-420) Copps Coliseum									
411	Victor K. Copps Trade Centre/Arena Renovations	08/83	12/91	41,429	40,616	813	Yes	Yes	CF 928341001-019
412	New Equipment & Renovations	07/87	12/91	130	89	41	Yes	Yes	CF 928741001
413	New Equipment	04/88	12/91	120	88	32	Yes	Yes	CF 928841002
414	New Equipment & Renovations	06/89	12/91	97	82	15	Yes	Yes	CF 928941004
415	Private Boxes - Study	09/90	12/91	50	29	21	Yes	Yes	CF 929051002
416	Satellite Dish	10/90	12/91	100	2	98	No	Yes	CF 929051003
417		10/90	09/91	130	84	46	Yes	Yes	CF 929051004
(421-430) Hamilton Place									
421	Great Hall Sound Console	11/88	12/91	202	77	125	Yes	Yes	CF 928851003
422	Great Hall Banners	05/89	**	130	3	127	No	Yes	CF 928941001
423	Furniture, Equipment & Renovations	07/90	12/91	160	156	4	Yes	Yes	CF 929051005

City of Hamilton  
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SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)					Is the Project on Target? Yes or No		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Timing		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
<b>(401-450) H.E.C.F.I.-Ctd.</b>									
<b>(421-430) Hamilton Place-Ctd.</b>									
424	Great Hall Banners	09/90	**	570	-	570	No	Yes	CF 929041011
425	Great Hall Sound & Lighting								
	Equipment & Chairs	09/91	09/92	83	-	83	Yes	Yes	CF 929151016
426	Studio Theatre Equipment & Chairs	05/91	05/92	80	34	46	Yes	Yes	CF 929151021
427	Various Equipment & Renovations	09/91	09/92	65	-	65	Yes	Yes	CF 929151022
<b>(431-440) Convention Centre</b>									
July 30, 1988									
433	Equipment & Renovations	06/89	12/91	320	280	40	Yes	Yes	CF 928941008
434	Furniture, Equipment, Renovations	07/90	12/91	62	7	55	Yes	Yes	CF 929051007
435	Revisions, Replacements for Building & Equipment								
437	Equipment & Renovations	09/91	09/92	75	-	75	Yes	Yes	CF 929151015
		09/91	09/92	10	-	10	Yes	Yes	CF 929151017
<b>(441-450) C.U.P.</b>									
442	Replacement and Overhaul - Equipment	06/89	09/91*	115	102	13	Yes	Yes	CF 928941005
443	Equipment & Renovations	07/90	09/91*	90	87	3	Yes	Yes	CF 929041001
444	City Hall - Fan Plenum Retrofit	09/91	06/92	90	-	90	Yes	Yes	CF 929151011
445	Hamilton Convention Centre - Light Control								
446	City Hall - Additional Transformer	10/91	04/92	25	-	25	Yes	Yes	CF 929151012
447	Capital Replacements/Revisions & New Equipment	10/91	06/92	50	-	50	Yes	Yes	CF 929151013
		02/91	06/92	70	33	37	Yes	Yes	CF 929151014

City of Hamilton  
Treasury

**SUMMARY OF CAPITAL PROJECTS IN PROGRESS**

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)					Is the Project on Target?		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Yes or No		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
<b>(451-500) Hamilton &amp; Scourge</b>									
452	Laboratory Facility & Equipment	06/89	12/90	150	1	149	Yes	Yes	CF 738841002
453	Hamilton & Scourge - Jason Project	03/90	03/91	410	389	21	Yes	Yes	CF 738904001
<b>(501-550) Hamilton Public Library Board</b>									
502	Automation and Collection Access: Phase III	1991		223	-	223			CF 919151519
503	Terryberry Library Addition - 2nd Floor	08/87	07/91*	2,471	1,962	509	Yes	Yes	CF 918741001
504	Office Automation - 1991 Phase			75	-	75			CF 919151518
508	Furniture & Equipment - Office Computerization	09/88	08/91*	40	8	32	Yes	Yes	CF 918851002
509	Furniture & Equipment - Office Computerization	06/89	07/91*	20	12	8	Yes	Yes	CF 918941010
510	Furniture & Equipment - Office Automation	09/90	02/91*	13	4	9	Yes	Yes	CF 919051008
511	Automation of Information Files	09/90	12/91	131	14	117	Yes	Yes	CF 919051009
512	Office Automation	09/90	08/91*	72	64	8	Yes	Yes	CF 919051010
513	Automation & Collection Access - Phases II-V	09/90	12/91*	181	55	126	Yes	Yes	CF 919051011
514	Sherwood Library Branch Relocation	05/90	08/91*	356	348	8			CF 919041014
515	Library - Land Acquisition South East Mountain	06/90	12/91	555	45	510	Yes	Yes	CF 919041010



City of Hamilton  
Treasury

**SUMMARY OF CAPITAL PROJECTS IN PROGRESS**

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)				Is the Project on Target? Yes or No Timing (8)	Budget (9)	Centre Number (10)
		Month/Year of Project		Expended and Committed (6)	Balance Available (7)			
		Start (3)	Finish (4)					
<b>(601-650) Planning</b>								
601	Enclaves Clearance	08/87	12/91	3,000	1,669	Yes	Yes	CF 308750001
<b>(701-750) Community Development</b>								
701	Downtown Action Plan - Phase III B	07/86	12/91*	1,300	1,241	Yes	Yes	CF 428603001
706	Downtown Action Plan - Phase IV	05/87	12/92*	1,199	787	Yes	Yes	CF 428803001
707	O.N.I.P. Corktown/Stinson	05/87	12/91*	1,028	1,000	Yes	Yes	CF 428701001
708	Facade Improvement Programme	07/87	12/90	800	481	Yes	Yes	CH 4X001 80321
711	Commercial Improvement Programme	06/87	12/91	2,500	943	Yes	Yes	CF 428705001
715	P.R.I.D.E. Programs - Crown							91
	Point West/Stipeley - Phase II	05/89	12/92	700	210	Yes	Yes	CF 428902002
717	Central/Beasley Housing							
	Intensification Program	1990	1993	1,860	-	Yes	Yes	
718	P.R.I.D.E. Program -							
	Beasley/Central	1990	1992	627	54	Yes	Yes	CF 429002003
719	Barton Street Demonstration							
	Loan Program	11/90	Unknown	200	-	Yes	Yes	
				157,943	99,788			58,155
				=====	=====			=====

Notes: \* Indicates date has changed from previous reporting.  
 \*\* City Treasurer is suggesting these funds be used for asbestos removal.

22 July 1991

July 30, 1991

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. John Elder	Manager of Events Delivery (H-19)	H.E.C.F.I.	New position - due to reorganization	\$54,894.32 to \$64,507.04	06/05/91
Ms. Mary Howarth	Secretary - Entertainment Program and Sales (H-8)	H.E.C.F.I.	New position - due to reorganization	\$23,400.00 to \$27,320.80	29/04/91
Mr. Peter McFarland	Foreman/Woman III (13-C)	Public Works	Replacing Mr. J. Fortino - retired	\$32,886.88 to \$37,768.12	24/06/91
Mr. Reginald Meiers	Operation Engineer (A-G)	Public Works	New Position Council Approved April 30, 1991	\$58,056.44 to \$68,428.36	20/06/91
Mr. Hoda Kayal	Project Manager (A-K)	Property	Replacing Mr. M. Shah - promoted	\$44,267.16 to \$52,111.28	24/06/91
Mr. David Watkins	Promotion & PR Officer (H-16)	H.E.C.F.I.	New Position - due to reorganization	\$44,269.16 to \$52,111.28	21/05/91

**THE CORPORATION OF THE CITY OF HAMILTON**

**TERMINATIONS FROM PERMANENT POSITIONS**

<b>NAME</b>	<b>CLASSIFICATION</b>	<b>DEPARTMENT</b>	<b>REASON</b>	<b>LENGTH OF SERVICE</b>	<b>EFFECTIVE DATE</b>
Mr. Dennis Arnett	Superintendent of Parks Maintenance	Public Works	Retired	33 years, 10 months	28/06/91
Ms. Sandra Bagruss	Solicitor	Law	Terminated	1 years, 9 months	24/06/91
Mr. Thomas Burrows	Manager, Theatre (Hamilton Place)	H.E.C.F.I.	Retired	12 years, 6 months	28/06/91
Mr. Ray Duguay	Foreman I	Public Works	Retired	30 years, 10 months	28/06/91
Mr. Grant Holle	Labourer	Parking Authority	Resigned	2 years	17/05/91
Mr. Fraser Reynolds	Budget Co-ordinator	Building	Retired	35 years	28/08/91
Mr. Nick Spisak	Foreman I	Public Works	Retired	24 years, 5 months	28/06/91
Ms. Marsha Taylor	Administrative Assistant	H.E.C.F.I.	Resigned	3 years, 3 months	14/06/91
Mr. David Watkins	Promotion/PR Officer	H.E.C.F.I.	Resigned	3 years	04/06/91
Mr. Ron Wells	Foreman II	Public Works	Retired	36 years, 2 months	28/06/91





City of Toronto

Department of the City Clerk  
City Hall  
Toronto, Ontario  
Canada M5H 2N2

July 30, 1991  
Telephone: (416) 392-7020  
Fax: (416) 392-6990  
TDD: (416) 392-7354

Barbara G. Caplan  
City Clerk  
Sydney K. Baxter  
Deputy City Clerk

Reply to: C. Dodds, 392-7031

Please refer to: 910527-38:4

June 4, 1991

TO: ALL MUNICIPALITIES IN ONTARIO WITH  
POPULATIONS OVER 50,000

At its meeting held on May 27 and 28, 1991, City Council adopted the following motion of Councillor Walker respecting the Provincial Government removing the Oath of Allegiance to the Crown for all police officers in the Province of Ontario:

"Whereas the Premier of Ontario and the Provincial Cabinet secretly removed the Oath of Allegiance to the Crown for all police officers in the Province of Ontario;  
and

Whereas the Premier and the NDP Government did this without any public consultation, most particularly with individual police associations, police officers, and most importantly the general public; and

Whereas all new citizens, upon assuming citizenship, swear allegiance to the Queen or the Crown of Canada; and

Whereas Section 52(1) of the Constitution Act, 1982, provides that the constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is to the extent of the inconsistency, of no force and effect; and

Whereas Section 9 of the Constitution Act, 1982, provides that the Executive Government and Authority of and over Canada is declared to continue and be vested in the Queen; and

Whereas the Interpretation Act provides that any reference to 'Her Majesty, the Queen', or 'the Crown' means the Sovereign of the United Kingdom, Canada, and Her other Realms and Territories, and the Head of the Commonwealth; and

Whereas the Governor General is the representative of Her Majesty The Queen in Canada; and

Whereas the Lieutenant Governor for the Province of Ontario is appointed by and shall hold office during the pleasure of the Governor General; and

Whereas Section 135 of the Police Services Act authorizes the Lieutenant Governor in Council to make regulations prescribing forms of oaths or affirmations of office and secrecy for members of Police Services Boards, police officers, auxiliary members of police forces and special constables; and

Whereas the Provincial Government has filed a regulation made under the Police Services Act prescribing new forms of oath or affirmation; and

Whereas Section 12 of the Regulations Act requires every Regulation to be referred to the Provincial Standing Committee on Regulations and that the said Committee examine the scope and method of the exercise of delegated legislative power;

Therefore be it resolved that:

1. City Council considers it necessary for the courts or the Provincial Standing Committee on Regulations to consider whether or not the Regulation in question is unconstitutional and beyond the authority of the Province to promulgate and is of no force and effect as it is inconsistent with the Constitution of Canada including the Canadian Charter of Rights and Freedoms;
2. City Council request the Provincial Standing Committee on Regulations to review the purported exercise of delegated legislative power in respect of the regulation in question and recommend to the Legislative Assembly of Ontario that such regulation be repealed;
3. The City Solicitor be authorized to join with the Municipality of Metropolitan Toronto in seeking declaratory relief in the courts respecting the constitutionality of the regulation in question, if such repeal is not forthcoming; and
4. This motion be forwarded to all municipalities with a population of over 50,000 and all members of the Association of Municipalities of Ontario."

July 30, 1991

- 3 -

Council's action is forwarded to you for your information and any action.

Yours truly

  
City Clerk

  
IR

Mr. Todd Decker, Clerk, Standing Committee on Regulation and Privacy Bills, Room 1521,  
Queen's Park, Toronto, Ontario, M7A 1A2

All Municipalities in Ontario with a population over 50,000

Ms. Kathleen Hunter Executive Director, Association of Municipalities of Ontario, 100  
University Avenue, Ste. 805, Toronto, Ontario, M5J 1V6

cc: City Solicitor  
Metropolitan Toronto Solicitor  
Metropolitan Toronto Clerk





1991

Hamilton City Council  
August 27, 1991  
7:30 o'clock p.m.  
Council Chamber, City Hall

URBAN MUNICIPAL  
GOVERNMENT DOCUMENTS

The Council met.

Present: Mayor R. M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson,  
Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray.

Absent: Alderman Ross - Vacation

Mayor Morrow called the meeting to order.

\* \* \* \* \*

Father Charles Galea, St. Luke's Roman Catholic Church led the Council in prayer.

\* \* \* \* \*

The following presentations were made:

An Award was presented to the City of Hamilton by the Canadian Association of Municipal Administrators for excellence in Municipal Administration.

A Certificate of Appreciation was presented to Mr. Michael Temperley, General Manager, Gown & Gavel for their enthusiastic leadership and dedication in attracting and organizing the 1991 Hess Village Jazz Festival.

A Certificate of Appreciation was presented to Mr. Jim Skarratt, President, Skarratt Promotions for their enthusiastic leadership and dedication in attracting and organizing the 1991 Hess Village Jazz Festival.

A Certificate of Recognition was presented to Mr. George Aldighieri, Owner, Union Boiler Company of Hamilton Ltd. who has made an outstanding contribution to our community during his 25 years of business.

A Certificate of Recognition was presented to Mr. Osvaldo Fava on being honoured and decorated by the President of the Republic of Italy on receiving the "Cavaliere Al Merito Della Repubblica Italiana Award".

\* \* \* \* \*

August 27, 1991

The following proclamations were presented:

Mayor Morrow proclaimed the Month of September to be "Big Brother Month".

Mayor Morrow proclaimed the week of September 1st to 8th, 1991 to be Labatt Canada Cup Week".

The minutes of the meeting held July 30, 1991 were taken as read and approved.

\* \* \* \* \*

Correspondence:

1. Letter dated August 14, 1991 from Mr. Andy Robertson re: sale of city owned lands on Gerrard and Brant Streets to Phillip Enterprises Inc.

**Referred to the Planning and Development Committee.**

2. Letter dated August 15, 1991 from Jerome N. Sprackman, President, Landawn Shopping Centres Limited respecting taxes.

**Referred to the Finance and Administration Committee.**

3. Resolution dated July 15, 1991 from the City of Vancouver respecting Comprehensive Nuclear Weapons Test Ban.

**Referred to the Finance and Administration Committee.**

4. Application dated August 1, 1991 from Rymal Gardens Inc. Hamilton, Ontario for a change in zoning from "RT-10" to "RT-20" for land on the east side of the proposed extension of Upper Wentworth Street in the area north of Rymal Road East, Hamilton, Ontario.

**Received.**



5. Application dated August 20, 1991 from Kingdom Properties Inc., Hamilton, Ontario for a change in zoning from "H" (Community Shopping and Commercial etc, (District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified for 623 Upper James Street, Hamilton, Ontario.

**Received.**

6. Application dated August 20, 1991 from Ritlyn Investments Ltd., Hamilton, Ontario for a change or modification in zoning to permit parking for property at No. 95 Mary Street, Hamilton, Ontario.

**Received.**

7. Application dated August 21, 1991 from Harnox Holdings Limited, Don Mills, Ontario for a modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District for No. 1051 Upper James Street, Hamilton, Ontario.

**Received.**

8. Letter dated August 8, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law No. 91-125 respecting 1285 Upper Gage Avenue, Hamilton, Ontario.

**No Action.**

9. Letter dated August 26, 1991 from Zenon Kulchisky of 572 Queen Victoria Drive **withdrawing** his objection of July 24, 1991 to By-law 91-125 respecting property at 1285 Upper Gage Avenue, Hamilton.

**Received.**

10. Letter dated August 27, 1991 from Paul Fenlon regarding auto insurance in the Province of Ontario.

It was moved by Alderman Agostino and seconded by Alderman Lombardo that the correspondence from Paul Fenlon dated 1991 August 27 regarding auto insurance in the Province of Ontario be considered at this meeting of City Council.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray. -16.

NAYS: 0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, with Alderman Gallagher in the chair.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray.

NAYS: 0.

**CARRIED.**

\* \* \* \* \*

### **TRANSPORT AND ENVIRONMENT COMMITTEE - TWELFTH REPORT**

#### **Section 1 Agreement granting the Steel Company of Canada access over city owned lands used as an Industrial Spur Line - Parkdale Avenue North - terminated**

Alderman Agro declared personal interest, took no part in the debate and refrained from voting on this matter. Alderman Agro acts in a consulting capacity re: employee benefit plans.

\* \* \* \* \*

#### **Section 14(i) Four Way Stop - Christie Street and Kennedy Avenue and Christie and Alderson Drive.**

It was moved by Alderman Murray and seconded by Alderman Merling that section 14(i) of the Twelfth Report of the Transport and Environment Committee be amended by deleting the word "or" immediately before the words "Christie Street" and replacing it with the word "and".

**CARRIED.**

\* \* \* \* \*

## **PARKS AND RECREATION COMMITTEE - SIXTEENTH REPORT**

### **Section 1      Permission to serve beer and wine at Gage Park - Roselawn Bowling Club**

#### **Recorded Vote.**

**YEAS:**            Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Gallagher, Murray.  
15.

**NAYS:**            Alderman Jackson. -1.

**CARRIED.**

\* \* \* \* \*

### **Section 2      Posters - Hamilton Tiger Cat Football Club**

It was moved by Alderman Murray and seconded by Alderman Jackson that section 2 of the Sixteenth Report of the Parks and Recreation Committee be amended by adding sub-section (e) as follows:

"That posters erected by the Hamilton Tiger Cat Football Club at the Hamilton Mountain Arena and other civic facilities be removed by the Hamilton Tiger Cat Organization and if this is not done within reasonable time they be removed by the Public Works Staff of the City of Hamilton and costs charged to the Tiger Cat Football Club."  
**CARRIED.**

\* \* \* \* \*

## **PLANNING AND DEVELOPMENT COMMITTEE - TWELFTH REPORT**

\* \* \* \* \*

## **FINANCE & ADMINISTRATION COMMITTEE - SIXTEENTH REPORT**

### **Section 8    Use of City Hall forecourt - Employees of the Local Industry**

Alderman Agro declared personal interest, took no part in the debate and refrained from voting on this matter. Alderman Agro has a licence to sell auto insurance.

\* \* \* \* \*



**Section 12 Province be requested to Amend the City of Hamilton Act, 1985 HECFI**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen McCulloch, Hinkley, Drury, Copps, Wilson, Formosi, Jackson, Gallagher, Murray. -10.

**NAYS:** Alderman Kiss. -1.

**CARRIED.**

\* \* \* \* \*

**Section 24 By-law to amend By-law 80-258 respecting Smoking in Public Places**

Alderman Jackson declared personal interest, took no part in the debate and refrained from voting on this matter. Alderman Jackson owns a coffee shop which could be affected.

\* \* \* \* \*

**Section 24 (1) (a) (i) Prohibit smoking in rest rooms in a retail shop and parts of a retail shop used as Offices.**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Gallagher. 12.

**NAYS:** Aldermen Formosi, Merling, Murray. -3.

**CARRIED.**

\* \* \* \* \*

**Section 24 (1) (a) (ii) Prohibit smoking in a hairdressing parlours and Barbershops**

**Recorded vote.**

**YEAS:** Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino. -8.

**NAYS:** Mayor Morrow, Aldermen Drury, Lombardo, Formosi, Merling, Gallagher, Murray. -7.

**CARRIED.**

\* \* \* \* \*

**Section 24 (1) (b) Prohibit smoking in a Patient Car Area of a Hospital**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Murray. - 12.

**NAYS:** Aldermen Formosi, Merling. -2. **CARRIED.**

\* \* \* \* \*

**Section 24 (1) (c) Prohibit smoking in reception Areas**

**Recorded vote.**

**YEAS:** Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Gallagher, Murray. -10.

**NAYS:** Mayor Morrow, Aldermen Drury, Lombardo, Formosi, Merling. -5. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Gallagher and seconded by Alderman Agostino that sub-section (d) of Section 24 (1) of the Sixteenth Report of the Finance and Administration Committee be amended by deleting "coffee shops" and including "coffee shops" in Sub-Section (2) of Section 24. **LOST.**

**Section 24 (1) (d) Increase the no smoking area in a restaurant from 20% to 50%**

**Recorded vote.**

**YEAS:** Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo. -9.

**NAYS:** Mayor Morrow, Aldermen Drury, Formosi, Merling, Gallagher, Murray. -6 **CARRIED.**

\* \* \* \* \*

**Section 24(1) (e) (i) Prohibit smoking in laundry rooms and common areas in apartment buildings**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Gallagher. -11.

**NAYS:** Aldermen Lombardo, Formosi, Merling, Murray. -4. **CARRIED.**

\* \* \* \* \*

**Section 24 (1) (e) (ii) Prohibit smoking in meeting and recreation rooms in apartment buildings**

**Recorded vote.**

**YEAS:** Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Wilson, Agostino -7.

**NAYS:** Mayor Morrow, Aldermen Drury, Copps, Lombardo, Formosi, Merling, Gallagher, Murray. -8. **LOST.**

\* \* \* \* \*

**Section 24 (1) (f) Prohibit smoking in Bus Shelters**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino. - 10.

**NAYS:** Aldermen Lombardo, Formosi, Merling, Gallagher, Murray. -5  
**CARRIED.**

\* \* \* \* \*



**Section 24 (1) (g) Prohibit smoking in Common Areas of shopping malls with the exception of food courts**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Gallagher. - 11.

**NAYS:** Aldermen Lombardo, Formosi, Merling, Murray. -4 **CARRIED.**

\* \* \* \* \*

**Section 24 (1) (h) Change the maximum fine from \$2,000 to \$5,000**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo. - 10.

**NAYS:** Aldermen Agro, Formosi, Merling, Gallagher, Murray. -5  
**CARRIED.**

\* \* \* \* \*

**Section 24 (1) (i) Review of By-law within two years of date of by-law**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo. - 11.

**NAYS:** Aldermen Formosi, Merling, Gallagher, Murray. -4  
**CARRIED.**

\* \* \* \* \*

**Recorded vote.**

**Section 24 (1) (j) Effective date of by-law - January 1, 1992**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo. - 10.

**NAYS:** Aldermen Drury, Formosi, Merling, Gallagher, Murray. -5  
**CARRIED.**

\* \* \* \* \*

It was moved by Alderman McCulloch and seconded by Alderman Hinkley that Sub-Section (2) of Section 24 of the Sixteenth Report of the Finance and Administration Committee be amended by deleting the word "not" in the first sentence. **CARRIED.**

**Section 24 (2) as amended Re: Prohibit Smoking in 20% of the seating capacity of Bars, Lounges and Taverns.**

**Recorded vote.**

**YEAS:** Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Wilson, Lombardo, Formosi. - 8.

**NAYS:** Mayor Morrow, Aldermen Drury, Copps, Agostino, Merling, Gallagher, Murray - 7  
**CARRIED.**

\* \* \* \* \*

**Section 24 (3) Smoking Restrictions in Places of Public Assembly.**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo. - 11.

**NAYS:** Aldermen Formosi, Merling, Gallagher, Murray. -4  
**CARRIED.**

\* \* \* \* \*

**Section 24 (4) Advertise in local newspapers to advise the public of legislation**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo. - 11.

**NAYS:** Aldermen Formosi, Merling, Gallagher, Murray. -4  
**CARRIED.**

\* \* \* \* \*

**Section 25    Establish an official target of achieving the goal of a smoke free community**

**Recorded vote.**

**YEAS:**            Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Jackson. - 12.

**NAYS:**           Aldermen Formosi, Merling, Gallagher, Murray. -4

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Murray and seconded by Alderman Merling that Section 27 of the Sixteenth Report of the Finance and Administration Committee be amended by adding section (f) as follows:

"That the City of Hamilton require the Regional Municipality of Hamilton-Wentworth to pay costs associated with this claim."

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Lombardo that Rule No. 8 of the Procedural By-law be invoked for this meeting of City Council in order to consider correspondence from Paul Fenlon dated 1991 August 27 regarding auto insurance in the Province of Ontario.

**Recorded vote.**

**YEAS:**            Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray. -16.

**NAYS:**           -0.

**CARRIED.**

\* \* \* \* \*

**Section 34    Public Auto Insurance**

It was moved by Alderman Cooke and seconded by Alderman McCulloch that the correspondence from Mr. Paul Fenlon dated 1991 August 27 regarding auto insurance in the Province of Ontario be referred to the Finance and Administration Committee for review and subsequent report back to City Council.



**Recorded vote.**

YEAS: Aldermen Cooke, McCulloch, Drury Formosi. -4.

NAYS: Mayor Morrow, Aldermen Kiss, Hinkley, Copps, Wilson, Agostino, Lombardo, Jackson, Gallagher, Murray. -10. **LOST.**

It was moved by Alderman Agostino and seconded by Alderman Lombardo that the following be added to the Sixteenth Report of the Finance and Administration Committee as Section 34:

"That Hamilton City Council forward letters to the Premier of Ontario, the Minister of Financial Institutions, the Minister of Municipal Affairs and local M.P.P.'s supporting the employees of the insurance industry in the Greater Hamilton area in their fight against public auto insurance in the Province of Ontario.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Copps, Agostino, Lombardo, Formosi, Jackson, Gallagher, Murray. -10.

NAYS: Aldermen Cooke, McCulloch, Hinkley, Wilson. -4. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman T. Murray be appointed Acting Mayor for the month of September, 1991.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee and resolutions, be adopted.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Gallagher, Murray. -12.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

NOTICE OF MOTION

Alderman Murray gave notice that he intends to move the following resolution at the next meeting of City Council:

"That City Council petition the Government of Canada to reinstate capital punishment for pre-meditated murder."

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following bills be now read a first time:

A-55, A-56, A-57.  
C-59, C-60, C-61, C-62.  
H-38, H-39, H-40.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Merling, Gallagher, Murray. -13.

NAYS: 0. CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Gallagher in the chair. (second reading)

A-55, A-56, A-57.  
C-59, C-60, C-61, C-62.  
H-38, H-39, H-40.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Merling, Gallagher, Murray. -13.

NAYS: 0. CARRIED.

\* \* \* \* \*

Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-55, A-56, A-57.  
C-59, C-60, C-61, C-62.  
H-38, H-39, H-40.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Merling, Gallagher, Murray. -13.

NAYS: 0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-55, A-56, A-57.  
C-59, C-60, C-61, C-62.  
H-38, H-39, H-40.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Merling, Gallagher, Murray. -13.

NAYS: 0. **CARRIED.**

\* \* \* \* \*

City Council then adjourned at 10:00 o'clock p.m.

\* \* \* \* \*



August 27, 1991

## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TWELFTH** Report for 1991 and respectfully recommends:

1. (a) That the agreement granting the Steel Company of Canada access over City owned lands used as an Industrial Spur Line on the west side of the most northerly portion of Parkdale Avenue North, approved by City Council December 27, 1955 as Item 8 of the 21st Report of the Committee of Works be terminated.
- (b) That the City enter into a new agreement granting Philip Environmental Service Corp., during the pleasure of City Council, the use of a portion of the Industrial Spur Line, as public crossing, providing they assume full responsibility for the construction, maintenance and use of the crossing at their expense and that they indemnify and save harmless the City from all claims, damages and expenses it may be put to by reason of the construction and maintenance of such crossing and if in the opinion of the City the railway traffic at this location becomes heavy or congested and a grade separation is found necessary, this permission is to be rescinded. The area being requested is 74.3 square metres (800 square feet), more or less, being triangular in shape on the west side of the most northerly portion of Parkdale Avenue North, for the sum of \$1.00 plus legal fees in the amount of \$500.00 be credited to Account Number CH4X999 00102 (Other Revenues - Reserve for Property Purchases). The agreement is to commence on the first day of the month following City Council's approval.
- (c) That The Steel Company of Canada shall prepare a survey satisfactory to the Manager of Field Surveys, showing the exact area to be described in the agreement prior to the agreement being executed.

- (d) That the lands granted by the City to Philip Environmental Service Corp. include an area sufficient enough to support the asphalted surface and also any side slopes on embankments required to support the driveway/road bed and the access design be acceptable to the City of Hamilton's Traffic Department.
  - (e) That the City Solicitor be authorized to prepare the necessary agreement documents.
  - (f) That the Mayor and City Clerk be authorized to execute the agreement documents.
- 2.
- (a) That two presently vacant Mechanic's Helper Positions in the Fleet Services Division of the Public Works Department for an estimated annual savings of approximately \$76,282.75 be eliminated.
  - (b) That two Equipment Mechanic II's positions (annual salaries estimated approximately \$77,147.20) be reclassified to two Licensed Mechanics positions. (annual salaries estimated at approximately \$90,316.83.)
- 3.
- (a) That the Streets and Sanitation Division of the Public Works Department be authorized to make application to the Federal Government for the Canadian Job Strategies Unemployment Job Creation Section 25 Programme for funds totalling approximately fifteen thousand dollars (\$15,000.) to employ two temporary full-time staff to assist in research and to establish a terms of reference and guidelines and, assist in the implementation of the following programmes: Poster Buster, Information Kiosk and Curb Ramping Programmes within the Public Works Department; and,
  - (b) That the Mayor and the City Clerk be authorized to sign the Federal/Municipal Agreement for the purpose of implementing the UI Job Creation Section 25; and,
  - (c) That the Law Department be authorized to execute the Agreement referred to in (b); and,
  - (d) That the Treasury Department be authorized to execute the financial administration of the UI Job Creation Section 25.

4. That the Commissioner of Transportation/Environmental Services be authorized, on behalf of the City of Hamilton, to inform the Ministry of the Environment that the City supports the R. T. Recycling Technology Inc. application for a Certificate of Approval to operate a solid waste processing facility to be located at 20 Warrington Street in Hamilton, provided that the proponent satisfies all development and operation standards required by the City of Hamilton, the Region of Hamilton-Wentworth, and the Ministry of the Environment.
5. That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton supports the application by Hotz and Sons Company, the Region's Household Hazardous Waste Disposal Program Contractor, to have its Provisional Certificate of Approval amended to permit the company to receive hazardous wastes from small quantity waste generators.
6.
  - (a) That approval be given to transfer Parts 3 and 4 on Plan 62R-10628 to the former owner for \$1.00 as these lands conveyed to the City for roadwidening purposes through severance, are no longer required for this purpose.
  - (b) That the Director of Property be authorized to prepare the necessary Offer to Purchase.
  - (c) That the City Solicitor be authorized to prepare the deed or deeds conveying the aforementioned parts from the City to the former owner.
7.
  - (a) That the submitted schedule, be adopted for inclusion in the Subdivision Agreement with the Owners, for the estimated cost of services in:

SOUTH HILL - PHASE 2, HAMILTON

City's Share - NIL, Subdivider's Share - \$105,256.12

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreement between the City and the owners of South Hill - Phase 2 subdivision.
  - (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.



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- (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing.
- (e) That the Mayor and City Clerk be authorized and directed to execute a Modified Subdivision Agreement with Mr. Luciano Filice, owner of the land at 327 Stone Church Road East, provided that Mr. Filice pays for his portion of the City Services along a future street adjacent to his property when the street is built and that the Modified Subdivision Agreement is to be in a form satisfactory to the City Solicitor and the Commissioner of Transportation/Environmental Services.
- (f) That the following clause be added to the City Modified Subdivision agreement to be executed by Mr. Filice and the City of Hamilton.

"The owner(s) for itself, its heirs, successors and assigns covenants, agrees and acknowledges to the City that in the event that the land being severed and land being retained is subsequently subdivided and/or developed and/or severed that the then land owner(s) shall be required to pay to the City costs for the City's services in the roadway propose along the westerly limit of the land being retained and the land being severed, extending from the Stone Church Road to the northerly limit of the property. The phrase "the City services" includes road, sidewalks, curb, street trees, street lighting and land costs."

8. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing:

The application of Mr. Duncan Morrison on behalf of the East 34th Street Residents' Committee (277 East 34th Street) to temporarily close East 34th Street between Fennell Avenue East and Brucedale Avenue East to hold a barbecue and street dance on Saturday, July 20, 1991, from 3:00 p.m. to 12:00 midnight, subject to the following conditions:

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- (a) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
  - (b) That temporary road closure signs be installed in advance by the City of Hamilton, Traffic Department (if deemed appropriate), on the affected roadway and at the expense of the organizing group;
  - (c) That the applicant ensure that clean-up operations will be carried out by 12:00 midnight on July 20, 1991, immediately before the re-opening of the street, at no cost to the City;
9. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing:

The application of Mr. Saul Zemaitis, Hamilton Regional Director of the Ontario March of Dimes Association, to temporarily close Jarvis Street from King William Street to the Municipal Parking Lot at King Street East, on Friday August 16, 1991 from 3:00 p.m. to 11:00 p.m., subject to the following conditions:

- (a) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
- (b) That temporary road closure signs be installed in advance by the City of Hamilton, Traffic Department (if deemed appropriate), on the affected roadways, and at the expense of the organizing group;
- (c) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the street, at no cost to the City;

- (d) That the applicant provide proof of \$2,000,000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holding the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (e) That the applicant reimburse the Regional Police Department, Regional Engineering Department, City of Hamilton Traffic Department, and any other agency for any costs incurred by these agencies as a result of this event;
  - (f) That no property owner or resident within the barricaded area will be denied access to their property upon request;
  - (g) That all property owners and tenants along the closed portion of the route be notified of the street dance and barbecue by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
10. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing:

The Gosford Street Neighbourhood Watch to temporarily close Gosford Street between Upper Paradise Road and Gilcrest Street on Saturday, July 20, 1991, from 10:30 a.m. to 8:00 p.m. to hold a carnival to benefit the Muscular Dystrophy Association, subject to the following conditions:

- (a) That the applicant receive a "Temporary Street Closure Application" approval form from the Regional Police Department, Traffic Division, and that all barricading, detour signing, and traffic control be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
- (b) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department (if deemed appropriate), on the affected roadways at the expense of the organizing group;
- (c) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the road, at no cost to the City;



- (d) That the applicant provide proof of \$2,000,000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holding the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (e) That the applicant reimburse the Regional Police Department, Regional Engineering Department, City of Hamilton Traffic Department, and any other agency for any costs incurred by these agencies as a result of this event;
11. That the applications to retain inadvertent encroachments and install temporary encroachments at the locations outlined on Schedule "A", appended hereto, be approved during the pleasure of Council provided:
- (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
  - (c) That the first year fee and subsequent annual fee outlined in Schedule "A" be set for these encroachments.
12. (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a By-Law for the stopping-up and altering of Golf Links Road at the City of Hamilton Limits;
- (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-Law;
  - (c) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed stopping up and altering of Golf Links Road pursuant to Section 48 of the Regional Act.

13. (a) That the following City lands, known as parts of Lot 30, Concession 4, Saltfleet, be incorporated into Quigley Road;
- (b) That the appropriate By-Law to carry out the incorporation of the said lands into Quigley Road be enacted by Council;
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
14. That City Traffic By-Law 89-72 be amended as follows:
  - (a) i. That westbound traffic on Chert Avenue be required to stop for northbound and southbound traffic on Derek Drive; and
  - ii. That eastbound traffic on Derek Drive be required to stop for northbound and southbound traffic on National Drive; and
  - iii. That southbound traffic on Chert Avenue be required to stop for eastbound and westbound traffic on National Drive; and
  - ix. That northbound traffic on Ellen Avenue be required to stop for eastbound and westbound traffic on National Drive; and
  - x. That southbound traffic on Ellen Avenue be required to stop for eastbound and westbound traffic on Tommar Place; and
  - xi. That westbound traffic on Tommar Place be required to stop for northbound and southbound traffic on National Drive; and
  - xii. That northbound traffic on National Drive be required to stop for eastbound and westbound traffic at the easterly intersection with Tommar Place.
  - (b) i. That northbound traffic on Millstream Court be required to stop for eastbound and westbound traffic on Appleford Road; and

- ii. That northbound traffic on the north and south legs of Forestgate Drive be required to stop for eastbound and westbound traffic on Appleford Road.
- (c) i. That northbound traffic on Alto Drive be required to stop for eastbound and westbound traffic on Capilano Drive; and
- ii. That southbound traffic on Glen Valley Drive be required to stop for eastbound westbound traffic on Capilano Drive.
- (d) That northbound traffic on Old Orchard Drive be required to stop for eastbound and westbound traffic at the northerly intersection with Gainsborough Road.
- (e) That northbound traffic on the south approach of Briarwood Crescent be required to stop for eastbound and westbound traffic on the east and west approaches to the intersection.
- (f) i. That northbound traffic on the north leg of Pearson Drive be required to stop for eastbound and westbound traffic on Mount Pleasant Drive; and
- ii. That eastbound traffic on the south leg of Pearson Drive be required to stop for northbound and southbound traffic on Mount Pleasant Drive; and
- iii. That three-way stop control be implemented at the intersection of Templemead Drive and Royal Vista Drive; and
- ix. That southbound traffic on Rita Avenue be required to stop for eastbound and westbound traffic on Royal Vista Drive; and
- x. That westbound traffic on the north leg of Mount Pleasant Drive be require to stop for northbound and southbound traffic on Templemead Drive; and



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- xi. That southbound traffic on the south leg of Mount Pleasant Drive be required to stop for eastbound and westbound traffic on Templemead Drive; and
- xii. That eastbound traffic on Ingrid Court be required to stop for northbound and southbound traffic on Templemead Drive; and
- xiii. That eastbound traffic on Innswood Place be required to stop for northbound and southbound traffic on Templemead Drive; and
- xiv. That southbound traffic on Pompano Court be required to stop for eastbound and westbound traffic on Pearson Drive; and
- x. That westbound traffic on Independence Drive be required to stop for northbound and southbound traffic on Mount Pleasant Drive; and
- xi. That northbound traffic on Independence Drive be required to stop for eastbound and westbound traffic on Templemead Drive; and
- (g) That three-way stop control be implemented at the intersection of Lake Avenue and Huckleberry Drive.
- (h)
  - i. That northbound traffic on Ashridge Place be required to stop for eastbound and westbound traffic on Broughton Avenue; and
  - ii. That southbound traffic on Derby Street be required to stop for eastbound and westbound traffic on Ossington Drive; and
  - iii. That southbound traffic on Charwood Court be required to stop for eastbound and westbound traffic on Beaverbrook Avenue; and
  - iv. That southbound traffic on Hartleigh Court be required to stop for eastbound and westbound traffic on Beaverbrook Avenue; and
  - v. That southbound traffic on Grayrocks Avenue be required to stop for eastbound and westbound traffic on Beaverbrook Avenue; and

- vi. That three-way stop control be implemented at the intersection of Broughton Avenue and Grayrocks Avenue; and
- vii. The three-way stop control be implemented at the intersection of Cadham Boulevard and Broughton Avenue; and
- viii. That southbound traffic on Ossington Drive be required to stop for eastbound and westbound traffic on Beaverbrook Avenue; and
- ix. That southbound traffic on Broughton Avenue be required to stop for eastbound and westbound traffic on Beaverbrook Avenue.
- (i) That four-way stop control be implemented the intersections of Christie Street and Kennedy Avenue and Christie Street and Alderson Drive.  
AMENDED AND CARRIED.
- (j) That four-way stop control be implemented at the intersection of Dufferin Street and Paradise Road.
- (k)
  - i. That the four existing two hour parking meters on the west side of Walnut Street between Hunter Street and a point 154 feet northerly therefrom be removed; and
  - ii. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of Walnut Street commencing at a point 54 feet north of Hunter Street and extending to a point 100 feet northerly therefrom.
- (l) That the existing one hour parking meters on both sides of MacNab Street between York and Cannon be changed to two hour meters.
- (m) That a "No Parking" regulation be implemented on the east side of Mary Street commencing at Simcoe Street and extending to a point 91 feet southerly therefrom.

- (n) That a "No Stopping, Wheelchair Loading Only, 11:00 a.m. to 7:00 p.m., seven days a week" regulation be implemented on the east side of Julian Avenue, commencing at a point 190 feet south of Britannia Avenue and extending to a point 24 feet southerly therefrom.
  - (o) That a "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 9:00 p.m., seven days a week" regulation be implemented on the west side of Greendale Drive commencing at a point 184 feet south of the south curb line of the north leg of Greendale Drive and extending to a point 17 feet southerly therefrom.
  - (p)
    - i. That a "Permit Parking" regulation be implemented on the south side of Picton Street West commencing at a point 134 feet east of Bay Street North and extending to a point 21 feet easterly therefrom; and
    - ii. That the Director of Traffic Services be authorized to issue one parking permit to Mr. William Walton, 61 Picton Street West.
  - (q)
    - i. That a "Permit Parking" regulation be implemented on the south side of Hillcrest Avenue, commencing at a point 165 feet west of the extended west curb line of Beulah Avenue and extending to a point 20 feet westerly therefrom; and
    - ii. That the Director of Traffic Services be authorized to issue one parking permit to Mrs. F. Cochrane, 99 Hillcrest Avenue.
  - (r) That three-way stop control be implemented at the intersection of Carriagegate Drive and Parkplaza Drive.
15. That the application of Ms. Mara Pavlica to lease a portion of the boulevard of Glow Avenue adjacent to No. 176 Glow Avenue be approved provided that:
- (a) The applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$55.59 per year) plus taxes, if any, in addition to the \$10.00 encroachment insurance charge approved by the City Council on 1984 February 14.
  - (b) The owners pay a one time \$25.00 registration fee, as approved by the City Council on 1986 January 14.



- (c) The owner pays a one time \$166.77 processing fee, as approved by the City Council on 1988 January 12.
  - (d) The owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
  - (e) The driveway approach, parking area and other structures, as approved by the Director of Traffic Services be constructed and maintained at the owners expense.
  - (f) The owner executes an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
16. That in accordance with the request by the Hamilton Street Railway Company, the following new bus routes and bus stops be approved:

Route 5 Delaware

- i. New Bus Route  
Greenhill Avenue from King Street East to Summercrest Drive.
- ii. Bus Stop Relocation
  - eastbound - delete - Quigley Road, west side, 104 feet south of Albright Road (F/S)
  - add - Quigley Road, west side, 49 feet north of Albright Road (N/S).
- iii. New Bus Stops
  - westbound - on Quigley Road at Veevers Drive, east side, 36 feet south of Veevers Drive (N/S).
  - eastbound - on Greenhill Avenue at Monte Drive, west side, 10 feet north of Monte Drive (MB).

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- eastbound - on Greenhill, west side, 121 feet north of Tasha Drive (MB).

- eastbound - on Greenhill, west side, 72 feet south of Tommar Place (F/S).

17. That Mrs. Bernice Price, Hamilton Safety Council representative on the Transport and Environment Committee, be authorized to attend the "Freedom to Move is Life Itself" a National Forum on Seniors Transportation in Winnipeg, Manitoba on 1991 October 27 to 30.
18. That leave be granted to introduce the following Bills:
  - (a) **Bill A-55** By-law to Incorporate City Lands into Quigley Road
  - (b) **Bill A-56** By-law to Amend By-Law 89-72 to Regulate Traffic
  - (c) **Bill A-57** By-law to Amend By-Law 89-72 to Regulate Traffic

**RESPECTFULLY SUBMITTED,**

T. Agnello  
Secretary  
August 20, 1991

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

August 27, 1991

APPENDIX "A" as referred  
to in Section 11 of the  
TWELFTH Report of the  
Transport and Environment  
Committee

Page 3-

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
44 Erindale Hamilton, ON	three sets of concrete steps encroach onto a) Erindale Ave. by appr. 3.0' x 0.53' and 9.07' x 16.40' and b) Dundonald Ave. by appr. 9.02' x 8.30'	BORKOVICH & INGRASSIA Barristers and Solicitors 1 Main St. E. Hamilton, ON L8N 1E7	\$105.00/20.00	T103-50(920)
62 William St Hamilton, ON	concrete veranda encroaches onto William St. by appr. 1.69' x 6.40'	ENNIS & ASSOCIATES 105 Main Street E. Hamilton, Ontario L8N 1G6	\$105.00/20.00	T103-50(915)
80 New St. Hamilton, ON	a) three canopies encroach by appr. 3.0' x 5.3' 3.0' x 5.3' and 4.0' x 7.4' b) bay window encroaches by appr. 2.0' x 4.0' c) paving stones and retaining wall encroach by appr. 8.5' x 18.5' x 0.5'	PETRINI, RUBENSTEIN, & WAXMAN 242 James Street South Hamilton, Ontario L8P 3B3	\$105.00/20.00	T103-50(918)

Council Date: August 30, 1991



August 27, 1991

## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SIXTEENTH** Report for 1991 and respectfully recommends:

1. That approval be given of the action taken by the Director of Culture and Recreation in approving the request from the Roselawn Bowling Club to serve beer and wine in conjunction with the Canadian Lawn Bowling Championships to be held at Gage Park on 1991 August 18 to August 22, subject to the following terms and conditions:
  - (a) That the applicant adhere to the regulations stipulated by the Liquor Licence Board of Ontario.
  - (b) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided.

Recorded Vote:

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Gallagher, Murray. 15.

NAYS: Alderman Jackson. -1.

**CARRIED.**

2. That approval be granted of the action taken by the Director of Culture and Recreation in approving the request by the Big Brothers Association of Burlington and Hamilton-Wentworth and the Hamilton Tiger-Cat Football Club (the promoter) to utilize the Mountain Arena on 1991 August 22 for Tiger Fest 1, subject to the following terms and conditions:

- (a) That insurance, in the amount of \$2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury naming the City of Hamilton as additional insured, be provided.
  - (b) That the applicant adhere to the terms and conditions as outlined in the Arena Special Event Contract.
  - (c) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
  - (d) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.
  - (e) That posters erected by the Hamilton Tiger Cat Football Club at the Hamilton Mountain Arena and other civic facilities be removed by the Hamilton Tiger Cat Organization and if this is not done within reasonable time they be removed by the Public Works Staff of the City of Hamilton and costs charged to the Tiger Cat Football Club. **ADDED AND CARRIED.**
3. That permission be granted to the Hamilton Mixed Three Pitch League to sell beer during the occasion of their fundraising three pitch baseball tournament, scheduled at Red Hill Bowl, 1991 September 14, subject to the following terms and conditions:
- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the applicant assume responsibility for all labour related costs as a result of this event.
  - (d) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.

August 27, 1991

4.
  - (a) That approval be given to the Children's Museum to apply to the Ministry of Community and Social Services for a one year Employment Programme grant.
  - (b) That approval be given to Dundurn Castle to apply to the Ministry of Community and Social Services for a one year Employment Programme grant.
5. That the following Royal Canadian Navy artifacts be deaccessioned and unconditionally donated to HMCS Star (Hamilton) Museum:  
  
M1983.189.1 One mess dress jacket, Lieutenant-Commander 1950's, and trousers  
M1983.189.2 One pair full dress trousers  
M1983.189.3-4 Two mess dress vests
6.
  - (a) That approval be given to the Hamilton Military Museum to apply to the Hamilton Foundation for a grant of up to \$3,000.00 for conservation.
  - (b) That approval be given to the Hamilton Children's Museum to apply to the Hamilton Foundation for a grant of up to \$3,000.00 to be used towards the exhibit "Tale of Tall Trees".
7. That the Terms of Reference for the Collections Development Study for the Hamilton Children's Museum dated 1991 August 6 attached hereto as Appendix "A", be approved.
8.
  - (a) That in 1992 the Children's Museum exhibit schedule be reduced from three exhibits to two per year.
  - (b) That during the interim phase of the long range development plan, the museum close for the months of September and January each year to prepare for the two exhibit changes.



9. That the wording for the Historic Sites and Monuments Board of Canada plaque designating Whitehern of national historic and architectural significance attached hereto as Appendix "B", be approved and that Environment Canada be notified accordingly.
10.
  - (a) That the City Solicitor be authorized and directed to prepare a lease renewal agreement of the lease dated 1988 December 1 in favour of the Hamilton Bay Sailing Club for a portion of the Pier 4 Park, consisting of a 6,433 square foot section near the foot of Leander Drive.
  - (b) That the new term commence 1990 December 1 and expire on 1991 November 30 for an annual rental of \$400.00 to be credited to Account No. CH44104 31106 (Rental - Civic Properties - Civic Properties Rented).
  - (c) That the Mayor and City Clerk be authorized to execute the renewal agreement.
11.
  - (a) That the Mayor and City Clerk be authorized to execute encroachment agreements, in a form satisfactory to the City Solicitor, for the land at the rear of Lots 25 to 29 Greenhill Gardens Phase 3 with the agreement to be prepared by the City and registered against the Title of the lots.
  - (b) That the standard 1.5 m chain link fence, originally to be installed along the property line, be installed along the west encroachment line.
12.
  - (a) That the Director of Public Works be authorized to submit an application to the Ministry of the Environment for an exemption under the Environmental Assessment Act for the remediation (clean up) of the Hamilton Harbourfront (former Lax Property).
  - (b) That the Director of Public Works be authorized to approach the Ministry of the Environment for the purpose of negotiating a special subsidy for the remediation of the Hamilton Harbourfront site.

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- (c) That the Director of Public Works be authorized to commence the consultant selection process regarding implementation of the site remediation work and that awarding of a contract be held pending finalization of funding.
  - (d) That the City's request for Provincial funding of remediation work at the former Lax property shall not prejudice further applications by the City to the Province for development funding.
13. That the concept plans for Beasley Park prepared by V. Ford and Associates, Landscape Architects in concert with the Central/Beasley Citizens' Advisory Committee, Regional and City staff for the Central/Beasley P.R.I.D.E. Programme, attached hereto as Appendix "C", be approved in order that the Consultants can proceed with the preparation of detailed plans, specifications and tender documents at an estimated cost of three hundred and fifty thousand dollars (\$350,000.00), with construction commencing in the Fall of 1991.

**Respectfully Submitted,**

**K. Christenson**  
Secretary

**ALDERMAN T. MURRAY, CHAIRMAN**  
**PARKS AND RECREATION COMMITTEE**

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Appendix "A" as referred to  
in Section 7 of the SIXTEENTH  
Report of the Parks and  
Recreation Committee

**COLLECTIONS DEVELOPMENT STUDY  
THE HAMILTON CHILDREN'S MUSEUM**

**TERMS OF REFERENCE**

**INTRODUCTION**

The Corporation of the City of Hamilton through the Department of Culture and Recreation is proposing a Collections Development Study for the Hamilton Children's Museum. This study is part of the second phase of the Long Range Development Plan which was completed by an outside consultant in 1990. The plan concluded that the expansion of the Hamilton Children's Museum is a much needed and worthwhile project and that the next key step is to identify areas which required further study. A priority was the collection - thus the need for the Collections Development Study.

The consultant will work under the direction of the Manager of Cultural Services and Curator of the Hamilton Children's Museum. Guidance will also be provided by the Director of the Department of Culture and Recreation, Hamilton Historical Board members, museum staff, study team members, educators and with as much community input as possible.

The purpose of the study is to develop a collection plan for the proposed and expanded Children's Museum which is in keeping with the museum statement of purpose. This will be achieved by the consultant who will review the current and proposed (Phase I Study) Statement of Purpose. The collection will include three dimensional historical artifacts and contemporary objects that will become the focal point of the museum. The majority of programmes and exhibits (both permanent and temporary), will be generated by, and highlight, the collection.

**BACKGROUND**

Children's Museums first emerged at the turn of this century, the first opening in Brooklyn, New York. Today over 200 children and youth museums exist in the United States. In Canada there are four currently in operation. The London Regional Children's Museum (opened 1976), the Hamilton Children's Museum (1978) the Manitoba Children's Museum (1986) and the Canadian Museum of Civilization in Ottawa (1989). Several other museums across this country are presently in the planning stages.

The Hamilton Children's Museum, currently a hands-on participatory museum, has attained an average attendance of between 28,000 to 34,000 visitors over the past several years. It is currently an exhibit-driven museum with three changing displays featured in a given year. As a result of limited space the museum cannot actively collect artifacts nor carry on other programmes which are popular for children's museums.



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Phase I of the Long Range Development Plan concluded that an expanded facility is our only option to meet the current needs and trends of our Children's Museum. However, before this can become reality, further research in specific areas must be completed over the next few years. The plan suggested that the museum should be housed in a facility of not less than 20,000 square feet and serve an audience of 100,000 visitors per year. The current exhibition space of 900 square feet would increase to 4,300 square feet including permanent and temporary exhibit space. Funding has been provided in the 1995 Capital Budget for the Children's Museum Re-development.

The Children's Museum is one of five museums of the Cultural Division - Department of Culture and Recreation. There are two historical houses - Dundurn Castle and Whitehern, two speciality museums: The Hamilton Military Museum and The Hamilton Museum of Steam and Technology. The Cultural Division also includes an Arts component.

The Hamilton Historical Board, a citizen based committee with political representation, acts as an advisory board to the Parks and Recreation Committee, a standing committee of Council. The Board's mandate is to advise and recommend museum and heritage matters and promote broader understanding of heritage conservation and preservation principles.

The Study Team of the Children's Museum guided the first phase of the Long Range Development Plan. Membership included interested citizens, educators, staff and board representation (present and past).

## **TASKS**

The consultant will accomplish the following:

### **COLLECTION DEVELOPMENT**

1. Review current and proposed (Phase I) Statement of Purpose and staff comments. Revise policy to include references to collection philosophy, preservation of collections and research.
2. Determine a plan of action for the Collections Development that will best meet the needs of the institution and its clients.
3. Identify subject area(s) for the collection of the museum including local resources and collections (where available and relevant).  
The following considerations must be examined for collection criteria:
  - uniqueness to the Hamilton area
  - proposed exhibit space available and staffing
  - availability
  - conservation needs

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- appropriate to and popular for children's museums
  - consideration of local collections and services to avoid duplication of efforts
  - consideration of City of Hamilton collections
  - funding restraints for acquisitions
  - ability for museum to use fully and integrate fully its collection with its programmes and exhibits while ensuring the preservation and quality of the collection
  - all legal and ethical practices required by law concerning artifact collections
  - clearly distinguish between apparatus, disposable and permanent artifact collections
4. The consultant will advise on collection strategies and appropriate storage locations until the expanded facility is realized.

#### Meetings and Workshops

5. The consultant will facilitate at least two workshops to determine collection areas with staff, board members, educators, study team and general public. It is suggested that one meeting be initiated with staff, and Board and Study Team members and others with input by educators and general public.
6. The consultant will meet regularly and informally with staff, and with others as deemed necessary by either party.
7. The consultant will make a presentation of the final document to Study Team members and the Hamilton Historical Board.

#### Reports

8. Two copies of the draft and final report will be required.
9. The consultant will have access to files, plans, statistics from museum or City Hall relevant to completing the study.

#### Time Frame

- |             |   |
|-------------|---|
| September   | - Consultant to begin project and facilitate meetings.  |
| October 1   | - Draft Collection Development Study to be completed,   |
|             | - Opportunity for review and comment by staff, Hamilton |
|             | Historical Board and other participants.                |
| October 28  | - Completed study                                       |
| November 12 | - Hamilton Historical Board presentation                |
|             | - Parks and Recreation presentation may be required     |

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Appendix "B" as referred to in  
Section 9 of the SIXTEENTH Report  
of the Parks and Recreation  
Committee

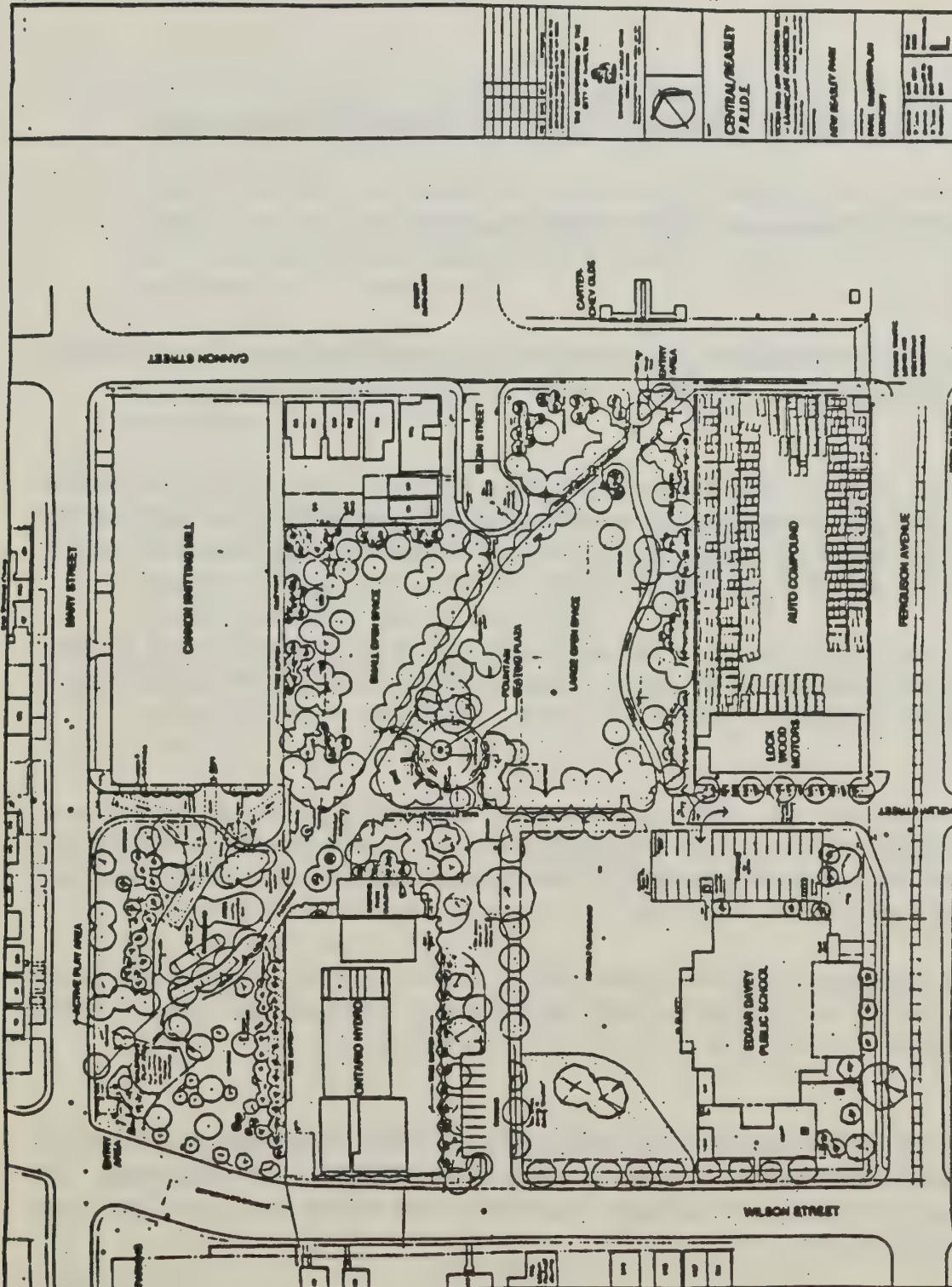
#### WHITEHERN

Set in a rare walled garden and enriched by its interior decoration, Whitehern is a remarkably intact example of mid-19th century residential architecture. The lingering architectural influence of the Palladian style combined with Classic Revival motifs is seen most clearly in the symmetrical facade with its central frontispiece capped by a pediment, and in the sturdy yet graceful entrance porch supported by Ionic columns. Constructed about 1850, this house built of locally quarried stone reflected the affluence and status of the new business and professional elites emerging in pre-Confederation Canada.

Entourée d'un exceptionnel jardin muré, Whitehern offre un exemple remarquablement intact d'habitation du milieu du XIX<sup>e</sup> siècle. L'empreinte du style palladien, auquel s'allient des motifs néo-classiques, est particulièrement manifeste dans la façade symétrique, dont le frontispice central est couronné d'un fronton, et dans le porche à la fois solide et élégant qui s'appuie sur des colonnes ioniques. Construite vers 1850, cette maison est fabriquée de pierres d'une carrière locale, avec son riche décor intérieur, témoigne de l'opulence et du statut des élites commerçantes et professionnelles qui se formaient au Canada peu avant la Confédération.



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## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWELFTH** Report for 1991 and respectfully recommends:

1. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of two thousand, three hundred and thirty-eight dollars (\$2,338.) be approved for Keltie Law, 112 Aberdeen Avenue, Hamilton. The interest rate will be six percent, amortized over 10 years; and,  
  
(b) That a Designated Property Grant in the amount of two thousand, three hundred and thirty-eight dollars (\$2,338.) be provided to Keltie Law, 112 Aberdeen Avenue, Hamilton.
2. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of four hundred and twelve dollars (\$412.) be approved for Betty Jean Carlyle, 219 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,  
  
(b) That a Designated Property Grant in the amount of four hundred and twelve dollars (\$412.) be provided to Betty Jean Carlyle, 219 Ferguson Avenue South, Hamilton.
3. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of three hundred and fifty dollars (\$350.) be approved for Ilze Dreimanus, 221 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,

- (b) That a Designated Property Grant in the amount of three hundred and fifty dollars (\$350.) be provided to Ilze Dreimanus, 221 Ferguson Avenue South, Hamilton.
- 4. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of three hundred and thirty-seven dollars (\$337.) be approved for Ms. P. L. Preston, 223 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,
  - (b) That a Designated Property Grant in the amount of three hundred and thirty-seven dollars (\$337.) be provided to Ms. P. L. Preston, 223 Ferguson Avenue South, Hamilton.
- 5. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of three hundred and thirty-seven dollars (\$337.) be approved for Mr. Hugh Caughey, 225 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,
  - (b) That a Designated Property Grant in the amount of three hundred and thirty-seven dollars (\$337.) be provided to Mr. Hugh Caughey, 225 Ferguson Avenue South, Hamilton.
- 6. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of three hundred and fifty dollars (\$350.) be approved for Elaine Elson, 227 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,
  - (b) That a Designated Property Grant in the amount of three hundred and fifty dollars (\$350.) be provided to Elaine Elson, 227 Ferguson Avenue South, Hamilton.
- 7. That a Designated Property Grant in the amount of seven hundred and thirty-three dollars( \$733.) be provided to Alan Stacy, 33 Undermount Avenue, Hamilton.



8. That the Building Commissioner be authorized to issue a demolition permit for the following properties:

- (a) 185 Nash Road South
- (b) 644 Eaglewood Drive
- (c) 1188 Rymal Road East
- (d) 99 Dundurn Street North

9.(a) That By-law Number 86-74, amended by By-law Number 87-147 appointing the Jamesville B.I.A. Board of Management be amended to delete the following names:

D. Robbins	Robbinex Capital Corporation
S. Leon	Irving's Famous Clothes Limited
P. Viana	Acadia Travel Services Inc.
L. Bornstein	Gordon & Son Furs Ltd.
M. Giammichele	Mario Custom Tailor
M. Morgenstern	Nandor-Morgenstern Enterprises Ltd.
H. Organ	Kohler's Rexall Drug Store
G. Ricca	Ricca's Furniture Ltd.
J. Sherman	Jerry's Man's Shop
K. Sherman	Anshel's
B. Miller	Miller's Shoe Store

and add the following:

P. Jovanovich	Copper John's Tavern
U. Wood	Bank of Montreal
G. Ricca	Ricca's Furniture
D. Lengyell	Biway

(b) That the City Solicitor be authorized and directed to amend By-law Number 86-74, amended by By-law No. 87-147 pursuant to (a) above.

10. That approval be given to Rental Housing Protection Act Application SE-91-001, Barry Szajman, owner, for severing one property with five rental units into two properties containing 3 and 2 rental units at 15, 17 and 19 Strachan Street East; and, 337 and 339 Hughson Street North on the grounds that it does not adversely affect the supply of affordable rental housing in the Municipality and therefore, meets the conditions for approval under the Rental Housing Protection Act.
11.
  - (a) That the comments contained in the report reviewing proposed Amendment Number 53 to the Hamilton-Wentworth Official Plan, attached herewith and marked Appendix "A", be endorsed; and,
  - (b) That Regional Council be so advised of City Council's endorsement.
12. That Item 14 of the Fourth Report of the Planning and Development Committee as approved by City Council on 1990 February 13, be amended, as follows:
  - (a) That approval be granted to allow the transfer of title in the City's deed 9495 from Samuel, Peter and Morris Mercanti, Moore & Davis Enterprises Inc. and Arthur Glenn Bryant each as to a 20% undivided interest, as tenants in common to "Carmen's Square Limited".
  - (b) That the Purchasers' solicitor must prepare all necessary agreements and deed subject to the approval of the City Solicitor.
  - (c) That any costs incurred by the City in this regard will be borne by the Purchaser.
13.
  - (a) That the Community Renewal Section of the Public Works Department proceed with the development of a third annual "Keep Hamilton Clean Public Service Announcement Competition" at a total estimated cost of three thousand dollars (\$3,000.) in co-ordination with the Broadcasting Department at Mohawk College, C.H.C.H. - T.V., the Keep Hamilton Clean Committee and the Downtown Action Plan Co-ordinating Committee (D.A.P.C.O.M.) to promote the objectives of Phase IV of the Downtown Action Plan, Sanitation Study.

- (b) That this expenditure be financed from Account Number CF 5698 42880 3006, Phase IV of the Downtown Action Plan, to which sufficient funds are available.
- 14.(a) That the Community Renewal Section of the Public Work Department be authorized to hold a public meeting to receive public input and establish a Citizen Advisory Committee for the purpose of implementing the Ministry of Municipal Affairs' P.R.I.D.E. Housing Intensification Programme in the Central/Beasley Neighbourhood; and,
- (b) That the Mayor and City Clerk be authorized to sign the necessary Provincial/Municipal Agreement required to implement the Central/Beasley P.R.I.D.E. H.INT. Programme.
15. That approval be given to Zoning Application 91-01, Gino Filice, in trust, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit development of the subject lands for single-family dwellings, for property located at 987 Upper Paradise Road, as shown on the attached map marked as Appendix "B", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-27D and W-27E for presentation to City Council; and,
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
16. That approval be given to amended Zoning Application 90-88, 775751 Ontario Inc. (John Paisley), prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District for Block "1" and from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District for Block "2" to permit development of Blocks "1"



and "2" for a commercial plaza with the adjoining lands to the south and east, for property located at 1425 and 1429 Upper James Street, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 35(1) of The Planning Act, R.S.O. to Blocks "1" and "2", by introducing the holding symbol 'H' as a suffix to the proposed Zoning District which will prohibit the development of Blocks "1" and "2" until a site plan is approved incorporating these lands with the lands to the south and east.

Removal of the holding restriction shall be conditional upon the approval of a site plan incorporating Blocks "1" and "2" with the adjoining lands to the south and east.

- (b) That Block "1" be rezoned from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District;
- (c) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District;
- (d) That the "HH" (Restricted Community Shopping and Commercial) District regulations, as contained in Section 14A of By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special provisions:
  - (i) That notwithstanding Section 14A(3)(a) of By-law No. 6593, a front yard of not less than 24.0 m shall be provided and maintained;
  - (ii) That a landscaped area of not less than 3.0 m in width, excluding vehicular access, shall be provided and maintained adjacent to the Upper James Street road allowance;
- (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1242, and the subject lands on Zoning District Maps E-9C and E-9D be notated S-1242;

- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-9C and E-9D for presentation to City Council; and,
  - (g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
17. That approval be given to Zoning Application 91-32, Mary O. Velenosi, owner, for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for Block "1", and for a modification to the "B" (Suburban Agricultural and Residential, etc.) District regulations for Block "2", to permit the creation of one single-family dwelling lot, for property located at 82 Christie Street, shown as Blocks "1" and "2" on the attached map marked as Appendix "D", on the following basis:
- (a) That Block "1" be rezoned from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the "B" (Suburban Agricultural and Residential, etc.) District regulations, as contained in Section 8 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variances as special provisions:
    - (i) That notwithstanding Section 8(3)(i), a front yard depth of at least 9.5m (31.17 feet) shall be provided and maintained on Christie Street; and,
    - (ii) That notwithstanding Section 8(4), a lot area of at least 1,055 square metres (11,356.3 square feet) shall be required.
  - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1243, and that Block "2" on Zoning District Map W-9E be notated S-1243;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E for presentation to City Council; and,

- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 18.(A) That approval be given to amended Zoning Application 90-96, Rymal Square Developments, Inc., owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District modified, for property located on the north side of Rymal Road East and east of the Hydro Right-of-Way, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District;
  - (b) That the "RT-20" (Townhouse-Maisonette) District provisions as contained in Section 10E of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special provisions:
    - (i) That a minimum 1.2 m to 2.0 m high visual barrier shall be provided and maintained along the entire northerly lot line;
    - (ii) That a minimum 3.0 m wide landscaped planting strip and a minimum 1.2 m to 2.0 m high visual barrier shall be provided and maintained along the southerly and westerly side lot lines of the subject lands which adjoin the residential property municipally known as No. 557 Rymal Road East.
  - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1240, and the subject lands on Zoning District Maps E-27D and E-27E be notated S-1240;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-27D and E-27E for presentation to City Council;
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,



- (f) That the approved Butler Neighbourhood Plan be amended on the following basis:
    - (i) That the subject lands be redesignated from "Single and Double Residential" to "Attached Housing";
    - (ii) That the proposed road alignment, as indicated on Appendix "F", be deleted;
    - (iii) That the sixty-six foot wide walkway, as indicated on Appendix "F", across the Ontario Hydro Right-of-Way, be added to the Neighbourhood Plan;
  - (B) That the applicant submit an application to the Region for approval of a revision to the draft approved plan of subdivision (Rymal Square Estates 25T-89022) to bring the present draft approved subdivision plan into conformity with the recommended zoning.
  - (C) That the amending By-law not be forwarded for passage by City Council until the applicant has entered into an agreement with the City, to the satisfaction of the City Solicitor, for the contribution of the sum of \$10,000.00 to be made to the City for landscaping of City lands adjoining the northerly lot line of the applicant's lands.
- 19.(A) That approval be given to Official Plan Amendment No. 102 to establish a Special Policy Area to permit limited commercial uses within the existing buildings, for properties located at 122-126 MacNab Street South and 109, 111, and 123 Charles Street and that the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (B) That approval be given to City Initiative 91-B for a modification to the established "E-3" (High Density Multiple Dwellings) District regulations, to permit limited commercial uses within the existing buildings, for properties located at 122-126 MacNab Street South and 109, 111, and 123 Charles Street, as shown on the attached map marked as Appendix "G", on the following basis:
    - (a) That By-law No. 87-29 be repealed in its entirety.

- (b) That the "E-3" (High Density Multiple Dwellings) District regulations, as contained in Section 11C of By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:
- (i) That notwithstanding Section 11C(1) of By-law No. 6593, the following commercial uses shall be permitted only within the buildings existing on the date of the passing of the By-law:
- (1.) professional and medical offices;
  - (2.) art gallery;
  - (3.) book store;
  - (4.) opticians' offices;
  - (5.) optometrists' establishments; and,
  - (6.) photographer's or artist's studio.
- (ii) That notwithstanding Section 11C(1) of By-law No. 6593, the following accessory use to the commercial uses referred to in subclause (i), shall be permitted:
- One business identification sign that is a ground sign, wall sign or projecting sign that complies with all of the following requirements;
- (a) The area of the sign shall not exceed 0.4 m<sup>2</sup>;
  - (b) The sign shall be non-illuminated or illuminated by non-flashing, indirect, or interior means only;
  - (c) No sign shall be situated less than 1.5 m from the nearest street line;
- (iii) That notwithstanding Section 18A, no required parking and no non-required parking shall be permitted in the front yard;
- (iv) That the outside display of goods or wares shall be prohibited for commercial uses within the District.

- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1239, and that the subject lands on Zoning District Map W-5 be notated S-1239;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-5 for presentation to City Council;
  - (e) That the proposed modification in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 102 by the Regional Municipality of Hamilton-Wentworth; and,
  - (f) That the approved Durand Neighbourhood Plan be amended by redesignating the subject lands from "Low Density Apartments" to "Commercial and Apartments - Heritage Conservation District".
- 20.(A) That approval be given to Official Plan Amendment No. 101 to redesignate property located at 674 Upper James Street from "Residential" to "Commercial" and to establish a "Special Policy Area" to permit only an orthopedic supply store within the existing building, and the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (B) That approval be given to Zoning Application 91-24, Bakado Enterprises, owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified, for property located at 674 Upper James Street, as shown on the attached map marked as Appendix "H", on the following basis:
- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District;
  - (b) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements;



- (i) Notwithstanding Section 14(1) of By-law No. 6593, only the following uses shall be permitted only within the building existing at the date of passing of this by-law.:

(1.) Residential Uses:

- (a) Single-family dwelling;
- (b) One dwelling unit in the same building with a permitted commercial use.

(2.) Commercial Use:

- (a) Orthopedic supply store.

(3.) Accessory Use:

- (a) A wall, ground or projecting sign that complies with the following requirements:
  - (i) no sign shall exceed 1.2 metres in vertical dimension or 2.2 metres in area; and,
  - (ii) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.
- (ii) No extensions or enlargements of the building existing at the date of the passing of the By-law shall be permitted;
- (iii) Notwithstanding Section 18A(1) of By-law No. 6593, the following parking requirements shall be provided and maintained:
  - (1.) one space for each dwelling unit;
  - (2.) one space for every 31 m<sup>2</sup> of floor area for all other permitted uses;

- (iv) A landscaped strip not less than 1.5 m in width shall be provided and maintained along the entire westerly lot line where the building has been converted to a commercial use;
  - (v) A visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire westerly lot line where the building has been converted to a commercial use;
  - (vi) All lighting facilities at the rear of the property shall be so installed and maintained as to ensure that the light is deflected away from all adjacent residential uses;
  - (vii) In the event that the existing building is destroyed or demolished, it may be replaced only by a building having the same external dimensions as the building which it replaces and the replacement building shall not have more than two storeys plus a basement.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1241, and the subject lands on Zoning District Map W-8 be notated S-1241;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-8 for presentation to City Council;
  - (e) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 101 by the Regional Municipality of Hamilton-Wentworth;
- (C) That Schedule "A" to By-law No. 79-275, as amended by By-law No. 87-223, respecting Site Plan Control, be further amended by adding the subject lands.
  - (D) That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of a site plan.

- 21.(a) That approval be given to Official Plan Amendment No. 100 to implement the Allison Neighbourhood Plan by redesignating lands located south of Rymal Road East, east of Upper James Street, from "Residential" to "Open Space" on Schedule "A" - Land Use Concept and by deleting Upper Wellington Street, (from Rymal Road to the City limits) from Schedule "F" - Major Roads, and that the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That the proposed plan and policies for the Allison Neighbourhood, attached hereto and marked Appendix "I", be adopted by Council.
22. That Zoning Application 91-26, Rymal Square, owner, requesting an Official Plan Amendment to delete Special Policy Area 46 and a further modification to the established "G-4" (Designed Neighbourhood Shopping Area) District regulations, to permit a submarine shop having a gross floor area of 120.8 m<sup>2</sup> (1,300 sq.ft.) and a donut shop having a gross floor area of 278.7 m<sup>2</sup> (3,000 sq.ft.) within the existing plaza, located at 30 Rymal Road East, as shown on the attached map marked as Appendix "J", be denied for the following reasons:
- (a) That it conflicts with the intent of both the Official Plan and the proposed Allison Neighbourhood Plan which prohibit high traffic generating type uses (i.e. restaurants, place of assembly, etc.);
- (b) That it conflicts with established policy of the Planning and Development Committee and City Council not to support high traffic generating type uses on this site, and the applicant has not submitted any additional or new information to justify changes to the established policy; and,
- (c) That approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Official Plan and Zoning By-law.



23. That leave be granted to introduce the following Bills:

- (a) Bill C-59 A By-law to amend Zoning By-law No. 6593 respecting lands located on the east side of Upper Ottawa Street, in the area south of Stone Church Road East.
- (b) Bill C-60 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 89-69 respecting lands located at Municipal Numbers 1405, 1411 and 1417 Upper James Street.
- (c) Bill C-61 A By-law to expropriate lands for Park and Municipal purposes.
- (d) Bill C-62 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 90 Lancing Drive.

Respectfully submitted,

ALDERMAN F. LOMBARDO, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Charlene J. Coutts  
Secretary  
1991 August 21

August 27, 1991

**APPENDIX A**

**COMMENTS ON THE POLICIES OF PROPOSED AMENDMENT NO. 53  
TO THE OFFICIAL PLAN OF THE REGION OF HAMILTON-WENTWORTH**

**Appendix "A" as referred  
to in Section 11(a) of the  
TWELFTH Report for 1991  
of the Planning and  
Development Committee**

Generally, the proposed policies of Official Plan Amendment No. 53 can be supported as they implement the intent of the Regional Housing Statement Update (previously supported by City Council) and the Provincial Policy Statement on Land Use Planning for Housing. The proposed Amendment will encourage the Area Municipalities to provide for affordable housing within their communities. Hamilton has traditionally been the major provider of a variety of housing types and tenures, meeting much of the Regional housing demands for Hamilton-Wentworth.

Accordingly, Policies 8.1, 8.3, 8.5, 8.9, 8.10, 8.11, 14.5.1 and 14.5.2 can be supported without further discussion. However, the following policies are worthy of clarification and comment.

Proposed Policy

- 8.2    b)    *Every Area Municipality shall prepare housing targets in accordance with the housing targets as established in the most recently adopted Regional Housing Statement. These targets shall be implemented through Official Plan Policies and the designation of a supply of land where appropriate to achieve the housing targets and shall be subject to endorsement by Regional Council.*

Comment

The City has established housing targets in its own Housing Statement Updates that have been prepared in previous years. The preparation of annual housing targets ensure an active monitoring of housing market conditions and provide a quantitative measure in which to assess housing activity, as well as outline any significant gaps in the delivery of specific housing types.

However, it should be recognized that these targets are only guidelines which are dependent on private market activities to be achieved. The Area Municipalities can only help create the opportunity for targets to be met through Official Plan policies, but cannot be responsible for achieving the production targets.

Proposed Policy

- 8.4    *The Planning and Development Department shall review, in consultation with the development industry and other relevant groups, every two years the planning approval procedures for the purpose of:*
- a)    *establishing and monitoring targets for the time required for plans to receive draft and final approval;*
  - b)    *identifying means to increase the efficiency of the process; and*
  - c)    *monitoring the following time guidelines for approvals affecting residential development;*



- i) *plans of subdivision and condominium: six months from date of submission to draft approval; and,*
- ii) *undisputed local official plan amendments: three months from receipt to Council approval.*

Comment

While this policy can be supported, it is suggested that the review also be in consultation with the Area Municipalities.

Proposed Policy

- 8.6 a) *Twenty-five percent of all new housing built in each Area Municipality on land designated "Existing Development" and "Residential and Related Uses" on Map No. 1 of this Plan shall meet the definition of affordable housing. New housing shall include both rental and ownership, provided by both the non-profit and private sectors.*

Comment

As the Area Municipalities are required to implement the 25 percent requirement by both the above policy and the Provincial Policy Statement, some flexibility should be given to the municipalities to determine how this will be implemented. For example, it may be more appropriate to designate lands for higher density housing on a neighbourhood or planning unit basis, rather than on a project-by-project basis. The City is currently completing its Housing Statement Update which will determine how the 25 percent requirement will be implemented. This policy should recognize the need for flexibility for implementation by the area local municipalities.

It should be noted that under current legislation, municipalities do not have the legal authority to designate housing uses on the basis of tenure or housing cost. Therefore, municipalities can only designate lands for housing types which may be developed for affordable housing. Without legislative changes, municipalities cannot designate tenure or cost of housing in their planning documents. This should also be recognized in policy 8.6 a).

Proposed Policy

- 8.7 a) *The conversion of rental housing shall be approved only when the vacancy rate for the municipality in which the units to be converted are located exceeds 2 percent (as reported by the Canada Mortgage and Housing Corporation (CMHC) bi-annual apartment survey) for two successive surveys.*

- b) *Every area municipality, in reviewing the criteria established by the Rental Housing Protection Act, Ch. 31, S.O., shall have regard first for Criterion 2 (requiring the replacement of rental housing removed from the stock with similarly sized and priced units as established in O.Reg. 586/89, Section 7(1). Further, in no case shall any Area Municipality grant approval for conversion of rental housing under the Rental Housing Protection Act, Ch. 31, S.O., without the implementation of Criterion 2 unless:*
- i) *the implementation of Criterion 2 is not feasible for the structure; or,*
  - ii) *the implementation of Criterion 2 is an unreasonable hardship on the applicant.*

#### Comment

Vacancy rates within the City of Hamilton vary from neighbourhood to neighbourhood. Canada Mortgage and Housing Corporation has divided Hamilton into six specific zones for the semi-annual Rental Apartment Vacancy Survey. As of April, 1991, 3 zones in Hamilton recorded vacancy rates of over 2.0 percent. As vacancy rates increase, the conversion of rental housing to other forms can result in community improvements such as redevelopment and rehabilitation and provide for other housing needs (e.g., condominiums). All of these housing forms can benefit particular areas of the City. Therefore, it is suggested that the words "the vacancy rate for the municipality" in section a) be replaced with "the vacancy rate for the CMHC zone or the municipality".

In addition, the Region may wish to include a provision that no conversions will be permitted which would lower the vacancy rate below 2.0 percent, as previously required in the Regional Official Plan.

It should be noted that Criterion 2 of the Rental Housing Protection Act allows approval of applications if the rental units are replaced in the same geographic area, as well as structure. Therefore, it is suggested that the words "for the structure" be removed from policy 8.7 b) i).

As stated previously, once the vacancy rates rise above 2.0 percent, conversions of rental housing can achieve other benefits to an area, and not adversely impact the overall supply of rental housing. As such, when the vacancy rate exceeds 2.0 percent, conversions should be permitted without the need to apply Criteria 2. Therefore, it is suggested the following be added to Policy 8.7 b):

- "iii) the vacancy rate exceeds 2.0%."

Criteria 3 of the Act allows Council the ability to approve an application if the proposal does not adversely affect the supply of affordable housing. As the circumstances of proposals vary, each application should be evaluated on its own merits to determine if an adverse impact on the current supply would result. However, criteria should be established by each municipality to assist in the evaluation of proposals and ensure consistency. As such, Area Municipalities will maintain their authority to approve applications under the Act. Therefore, it is suggested that the following be added to policy 8.7 b).



- "iv) the proposal, in the opinion of the Area Municipality, does not adversely affect the supply of affordable rental housing in the municipality based on criteria to be established by the Area Municipality."

Proposed Policy

- 8.8 *Housing opportunities in the Region must recognize the diversity of housing needs among the citizens of Hamilton-Wentworth. Council is committed to providing a continuum of housing opportunities, suitable to a range of housing needs, for its citizens.*
- a) *A continuum of housing opportunities - including, but not limited to: rooming and boarding houses, group homes, plexes, supportive living developments, converted dwellings, homesharing, special needs housing, and affordable rental and owner occupied dwellings - shall be provided in every Area Municipality in the Region. Every Area Municipality shall develop a strategy to provide a continuum of housing opportunities to include:*
- i) *Official Plan policies to permit the above continuum of housing opportunities in areas permitting residential uses.*
- ii) *Official Plan policies to permit residential intensification in areas permitting residential uses, subject to the following criteria established in the Policy Statement on Land Use Planning for Housing:*
1. *the physical potential of the existing building stock or previously developed sites can accommodate the identified forms of residential intensification;*
  2. *the existing services can support new households in the affected area; and,*
  3. *the potential demand for the types of accommodation which could be produced through various forms of residential intensification can be demonstrated based on the housing needs of households in the municipality.*
- iii) *Zoning By-law standards to permit converted dwellings, group homes, and rooming and boarding homes as-of-right in areas permitting residential uses (as identified in the Area Municipality's Official Plan).*
- iv) *Official Plan policies defining the criteria to be used evaluating the adaptive re-use and conversion of existing structures in areas designated for uses other than residential. The criteria shall include environmental, social, land use conflicts, and quality of life standards.*



- b) *Every such strategy shall be submitted for endorsement by Regional Council, by August 1, 1992. Amendments to the relevant Official Plan to implement policy 8.8 a) shall be adopted for consideration and approval by Regional Council by January 1, 1993.*

Comment

The City has already adopted a Housing Intensification Strategy, which creates opportunities for housing intensification while addressing local community concerns. All other municipalities in the Region should also be encouraged to provide for their share of the demand for this form of housing. Therefore, this proposed policy can be supported.

However, Area Municipalities should be permitted to develop standards to ensure these forms of housing are suitable and compatible with surrounding development. For example, the City's Intensification Strategy calls for all units in a converted dwelling to be a minimum of 65 m<sup>2</sup> (700 ft.<sup>2</sup>). It is suggested that the need for local flexibility to establish standards for these forms of housing be recognized in Policy 8.8.

**APPENDIX B**  
**PROPOSED AMENDMENT NO.53**  
**TO**  
**THE REGION OF HAMILTON-WENTWORTH**  
**OFFICIAL PLAN**  
**HAMILTON-WENTWORTH PLANNING AREA**

PROPOSED AMENDMENT NO. 53  
TO  
THE REGION OF HAMILTON-WENTWORTH  
OFFICIAL PLAN  
HAMILTON-WENTWORTH PLANNING AREA

July, 1991



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**PART I**

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO.

BEING A BY-LAW TO ADOPT AMENDMENT NO. 53 TO THE OFFICIAL PLAN FOR THE HAMILTON-WENTWORTH PLANNING AREA TO AND FORMING PART OF REGIONAL BY-LAW NO. R80-094.

The Council of the Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 17 and 21 of The Planning Act, S.O. 1983, Ch.1, hereby enacts as follows:

- (1) THAT the text attached hereto and so designated is hereby adopted as Amendment No. 53 to the Official Plan for the Hamilton-Wentworth Planning Area.
- (2) THAT the Clerk of the Region is hereby directed to forward Amendment No. 53 to the Official Plan for the Hamilton-Wentworth Planning Area, to the Minister of Municipal Affairs for approval.
- (3) THAT the Official Plan attached to and forming part of By-law No. R80-094 is hereby amended by adding thereto the text attached hereto.
- (4) THAT this By-law shall come into force and take effect on the date of its final passing.

READ a first, second, and third time and finally passed and enacted

this        day of        , 1990.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Clerk



PART I THE CERTIFICATION

AMENDMENT No. 53

TO THE REGION OF HAMILTON-WENTWORTH OFFICIAL PLAN

THE HAMILTON-WENTWORTH PLANNING AREA

Amendment No. 53 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area, constituting the explanatory text was prepared by the Planning and Development Department of the Regional Municipality of Hamilton-Wentworth and adopted by Regional Council by By-law No.R91- in accordance with Section 17 of The Planning Act, 1983, R.S.O. 1989, Ch.1, on the \_\_\_\_\_ day of \_\_\_\_\_ 1991.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Clerk

**PART II**

## PART II - THE PREAMBLE

### 1. TITLE

### 2. COMPONENTS OF THIS AMENDMENT

Only that part of this document entitled "PART III - The Amendment", comprising the attached text, constitutes Amendment No. 53 to the Region of Hamilton-Wentworth Planning Area.

### 3. PURPOSE OF THE AMENDMENT

Amendment No. 53 is intended to replace the existing policies in Section 8 - Housing of the Official Plan with new policies to implement the Province of Ontario's Policy Statement on Land Use Planning for Housing, to establish new policies as defined in the Regional Housing Statement Update, 1990, and, where consistent with the above two documents, the recommendations of the Hamilton-Wentworth Regional Chairman's Task Force on Affordable Housing. Amendment No. 53 also amends the servicing strategy of Section 14.5 of the Official Plan.

### 4. LOCATION OF THE AMENDMENT

Amendment No. 53 is a text amendment and is applicable to all lands in the Regional Municipality of Hamilton-Wentworth.

### 5. BASIS OF THE AMENDMENT

Amendment No. 53 implements the Provincial Policy Statement on Land Use Planning for Housing and up-dates the housing policies of Section 8 of the Plan.



**PART III**

## PART III THE AMENDMENT

### 1. INTRODUCTION

The whole of this part of the document entitled "PART III - The Amendment", which consists of the following text, constitutes Amendment No. 53 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area.

### 2. DETAILS OF THE AMENDMENT

Section 8 - Housing, is hereby deleted and replaced with the following.

#### **8.0 Housing**

This section of the Plan contains provisions for achieving an adequate supply of housing accommodation in the Region while recognizing that the provision of such housing consists of many factors such as, but not limited to, land supply, planning, the economy, interests rates, and involves many participants including the development and construction industries, all levels of government, finance companies, and public and non-profit development companies.

##### Objectives

- *To enable every resident of Hamilton-Wentworth to have the opportunity to live in adequate and affordable housing.*
- *To ensure that a supply of adequate and affordable housing is available to meet the needs and demands of the present and future residents of Hamilton-Wentworth.*

##### Maintaining the Existing Housing Stock

**Basis:** Maintenance of the housing stock within existing neighbourhoods provides opportunities for implementation of other sections of this Plan; namely, increasing affordable housing opportunities and residential intensification. Further, a commitment to improving existing neighbourhoods and communities will strengthen community development.

**Policy:** 8.1 *Council encourages every Area Municipality to adopt and implement community improvement plans and maintenance and occupancy standards By-laws and to take advantage of federal and provincial programs designed to upgrade and improve established areas and particularly the housing stock.*

## Housing Targets

### **Basis:**

Housing targets are a statement of desire that are used to guide medium and long range planning in the Region. Targets are projections of the future and are often revised in response to changing conditions in the housing market, the economy and demographic make-up of the population. The Regional Housing Statement shall be used to review housing trends, the housing market, and housing supply, housing demand, and shall establish new housing targets, policies and programs. The Regional Housing Statement, as adopted by Regional Council, shall be the main housing policy document of the Region and shall be used to review existing Regional Official Plan policies and formulate new policy directives for inclusion in the Regional Official Plan.

The development of Regional policies has implications for Area Municipalities because they are involved in the achievement of targets and other housing objectives. Every Area Municipality is required to prepare a Housing Statement and it is appropriate that their targets, policies, and programs correspond with those of the Region.

### **Policy:**

- 8.2 a) *A Regional Housing Statement shall be prepared in consultation with the Area Municipalities, the development industry, other relevant agencies and the community, every five years or, in the case of significant changes in the housing market since the most recent update, less than five years. The Regional Housing Statement shall be updated for the purposes of:*
- i) *establishing annual housing targets for the total number of new housing units by type and tenure;*
  - ii) *establishing annual housing targets for the number and type of government assisted housing units for those people of Hamilton-Wentworth whose housing needs are not expected to be met by the private sector; and*
  - iii) *evaluating the success of policies and programs designed to ensure the established housing targets are met and make suggested revisions.*
- b) *Every Area Municipality shall prepare housing targets in accordance with the housing targets as established in the most recently adopted Regional Housing Statement. These targets shall be implemented through Official Plan policies and the designation of a supply of land where appropriate to achieve the housing targets and shall be subject to endorsement by*



- c) *To assist Area Municipalities in the preparation of annual housing targets, as contained in Policy 8.2a), when requested.*

Land Supply

**Basis:** The Region is responsible for ensuring that an adequate supply of land is available to accommodate new residential development. The Region provides for residential development by designating land for urban development; by providing services such as water, sewer, roadways and transit; and by providing development approvals. Through an annual review of the residential land supply, development trends and current designations, the Region will be able to ensure a suitable supply of land is available for future development.

The Provincial Policy Statement "Land Use Planning for Housing" requires that municipalities ensure a ten year supply of land and a three year supply of lots in draft approved and registered plans of subdivision and condominium are available at all times. A monitoring system has been developed to determine whether an adequate supply of land is available to meet these objectives.

Current land designations and development trends indicate the Region has an adequate supply of land (15 to 20 years) to meet the objectives. Annual monitoring will ensure these objectives are maintained.

- Policy:** 8.3 a) *The Planning and Development Department shall review annually the supply of vacant land designated for future residential development to ensure:*
- i) *the objective of maintaining at least a three year supply of lots in draft approved and registered plans of subdivision;*
  - ii) *the objective of maintaining at least a ten year supply of land designated for future residential development;*
  - iii) *the objective of achieving the housing targets established in the Regional Housing Statement; and*
  - iv) *that appropriate land designations are considered as identified through the annual review.*
- b) *Every Area Municipality shall designate in accordance with Policy 8.3a) a suitable supply of residential land for future development.*

## Planning Approvals Process

**Basis:** Delay in the planning approvals process is often cited as the major cause for the high cost of housing. Both an internal review and a review prepared for the Hamilton-Wentworth Regional Chairman's Task Force on Affordable Housing revealed that the planning approval process operates relatively satisfactorily and probably is not a major contributor to increasing housing costs in Hamilton-Wentworth.

In order to maintain the already high level of service, it is necessary that the process be reviewed periodically and that planning staff continue to identify ways for improving and streamlining the process. By keeping a quick and efficient planning approvals process the land carrying costs associated with housing construction is kept to a minimum.

The Provincial Policy Statement "Land Use Planning for Housing" requires municipalities to adopt goals for moving proposals through the approvals process. The goals stated below are already being achieved.

- Policy:** 8.4 *The Planning and Development Department shall review, in consultation with the development industry and other relevant groups, every two years the planning approval procedures for the purpose of:*
- a) *establishing and monitoring targets for the time required for plans to receive draft and final approval;*
  - b) *identifying means to increase the efficiency of the process; and*
  - c) *monitoring the following time guidelines for approvals affecting residential development:*
    - i) *plans of subdivision and condominium: six months from date of submission to draft approval; and*
    - ii) *undisputed local official plan amendments: three months from receipt to Council approval.*

## Sustainable Development

**Basis:** The Hamilton-Wentworth Regional Chairman's Task Force on Sustainable Development may eventually lead to further revisions in housing policies. Until that time the current policy 8.9 should remain in the Official Plan and is renumbered 8.5.

**Policy:** 8.5 *Regional Council is concerned about the possibility of future shortages in the supply of conventional fuels, namely oil and gas, and therefore Council shall:*

- a) support and encourage Area Municipalities to adopt residential densities and designs in the urban areas which are conducive to the operation of public transit;*
- b) promote innovation in housing design to facilitate the construction of energy efficient housing; and*
- c) encourage and promote the utilization of solar energy for space heating, where feasible.*

**Affordable Housing**

**Basis:** The Provincial Policy Statement on Land Use Planning for Housing requires municipalities to facilitate the provision of increased affordable housing through Official Plan policies and is supported in the recommendations of the Regional Housing Statement Update, 1990. The Region is committed to creating opportunities for increased affordable housing in Hamilton-Wentworth. Accordingly, the Region's Official Plan shall reflect this commitment in areas designated "Existing Development" and "Residential and Related Uses" and, subject to servicing availability, in areas designated "Rural Settlements". A definition of affordable housing, suitable for Hamilton-Wentworth, shall be developed in conjunction with Area Municipalities. In the interim, the definition of affordable housing, as annually established by the Provincial Ministry of Housing, shall be used.

**Policy:** 8.6 *a) Twenty-five percent of all new housing built in each Area Municipality on land designated "Existing Development" and "Residential and Related Uses" on Map No. 1 of this Plan shall meet the definition of affordable housing. New housing shall include both rental and ownership, provided by both the non-profit and private sectors.*

*b) Subject to the policies of Sections 3.3.1 and 10 of this Plan, twenty-five percent of all new housing produced in each Area Municipality for land designated "Rural Settlements" on Map No. 1 of this Plan shall meet the definition of affordable housing. New housing shall include both rental and ownership, provided by both the non-profit and private sectors.*



## Protection of Rental Housing

### **Basis:**

Rental housing is one of the most affordable types of housing available. The protection of the existing rental housing stock from conversion to another tenure type or use is necessary to maintain the existing stock of rental housing and preserve new rental housing as it is developed. The Final Report of the Hamilton-Wentworth Regional Chairman's Task Force on Affordable Housing recommends fully implementing the provisions of the Rental Housing Protection Act, Ch.31, S.O., as may be amended from time to time, and requiring the implementation of Criterion 2 (requiring the replacement of rental housing removed from the stock with similarly sized and priced units as established in O.Reg. 586/89, Section 7(1)). Regional Council has previously recognized the importance of the implementation of the Rental Housing Protection Act, Ch.31, S.O. through the adoption of Regional Official Plan Amendment No. 6, respecting the protection of rental housing in the Region.

It is recognized that applications will be made to Area Municipalities for exemption from the Rental Housing Protection Act, Ch.31, S.O. In reviewing such applications, every Area Municipality shall implement the following policies of Regional Council:

### **Policy:**

- 8.7 a) *The conversion of rental housing shall be approved only when the vacancy rate for the municipality in which the units to be converted are located exceeds 2 percent {as reported by the Canada Mortgage and Housing Corporation (CMHC) bi-annual apartment survey} for two successive surveys.*
- b) *Every area municipality, in reviewing the criteria established by the Rental Housing Protection Act, Ch.31, S.O., shall have regard first for Criterion 2 {requiring the replacement of rental housing removed from the stock with similarly sized and priced units as established in O.Reg. 586/89, Section 7(1)}. Further, in no case shall any Area Municipality grant approval for conversion of rental housing under the Rental Housing Protection Act, Ch.31, S.O., without the implementation of Criterion 2 unless:*
- i) the implementation of Criterion 2 is not feasible for the structure; or,*
  - ii) the implementation of Criterion 2 is an unreasonable hardship on the applicant.*

**Basis:** A broad range of housing needs exist within Hamilton-Wentworth, as identified in the Regional Housing Statement Update, 1990 and the Final Report of the Hamilton-Wentworth Regional Chairman's Task Force on Affordable Housing. Regional Council is committed to providing housing suitable to the needs of all its citizens. Significant opportunities for providing housing to meet the existing and future community needs exist within the existing housing stock. Residential intensification, including infill, adaptive re-use, redevelopment, and conversion, can upgrade the existing housing stock and better utilize the existing land designated for urban purposes.

Regional Council recognizes that the implementation of intensification policy rests with each Area Municipality; however, Regional Council is committed to fulfilling the housing needs of its citizens and recognizes the necessity of each Area Municipality developing suitable policies regarding housing intensification.

**Policy:** 8.8 *Housing opportunities in the Region must recognize the diversity of housing needs among the citizens of Hamilton-Wentworth. Council is committed to providing a continuum of housing opportunities, suitable to a range of housing needs, for its citizens.*

a) *A continuum of housing opportunities - including, but not limited to: rooming and boarding houses, group homes, plexes, supportive living developments, converted dwellings, homesharing, special needs housing, and affordable rental and owner occupied dwellings - shall be provided in every Area Municipality in the Region. Every Area Municipality shall develop a strategy to provide a continuum of housing opportunities to include:*

i) *Official Plan policies to permit the above continuum of housing opportunities in areas permitting residential uses.*

ii) *Official Plan policies to permit residential intensification in areas permitting residential uses, subject to the following criteria established in the Policy Statement on Land Use Planning for Housing:*

1. *the physical potential of the existing building stock or previously developed sites can accommodate the identified forms of residential intensification;*
2. *the existing services can support new households in the affected area; and,*

3. *the potential demand for the types of accommodation which could be produced through various forms of residential intensification can be demonstrated based on the housing needs of households in the municipality.*
- iii) *Zoning By-law standards to permit converted dwellings, group homes, and rooming and boarding homes as-of-right in areas permitting residential uses (as identified in the Area Municipality's Official Plan).*
- iv) *Official Plan policies defining the criteria to be used in evaluating the adaptive re-use and conversion of existing structures in areas designated for uses other than residential. The criteria shall include environmental, social, land use conflicts, and quality of life standards.*
- b) *Every such strategy shall be submitted for endorsement by Regional Council, by August 1, 1992. Amendments to the relevant Official Plan to implement policy 8.8a) shall be adopted for consideration and approval by Regional Council by January 1, 1993.*
- c) *No amendments to the Regional Official Plan to re-designate land for residential purposes shall be considered by the Region for an Area until such time as Regional Council has endorsed the strategy and approved the appropriate implementing Area Municipal Official Plan Amendment, for the municipality in question, required in Policy 8.8a).*

#### Assisted Housing

**Basis:** Assisted housing refers to all forms of rental housing aimed at low and moderate income households which contain some proportion of units below market rents and/or rent-geared-to-income. The current system of delivering assisted housing relies on municipal and private non-profit housing corporations, and cooperatives to deliver assisted housing throughout the Region. Although the efforts of these groups must be applauded, the system has not been effective in developing a fair geographic distribution of assisted housing across the Region as the supply of assisted housing is heavily concentrated in the City of Hamilton.

Assisted housing targets are not set for each Area Municipality in the Regional Housing Statement. Area Municipalities must establish their own targets



according to the indicators of need in their community. The Official Plan policies are Regional support for the concept that every Area Municipality must assist in the provision of assisted units.

The backlog of demand for assisted housing resulted is an annual target of 1,000 units for the next five years. In 1990, over 93% of the assisted housing units in the Region were located in the City of Hamilton. There is a strong need for more assisted housing and a better geographic distribution within Hamilton-Wentworth.

- Policy:** 8.9 a) *Regional Council shall report annually to the Federal and Provincial Governments the assisted housing needs of Hamilton-Wentworth and request that appropriate funding be made available to address these needs.*
- b) *Council encourages the development of non-profit housing units in all municipalities, and in particular, desires an increased share of non-profit housing starts in the urban areas outside of the City of Hamilton.*

#### Monitoring the Housing Stock

**Basis:** The factors influencing the supply of affordable housing may change and remedy, through this Plan or the Regional Housing Statement Update, may be required. In order to assess the ongoing efforts of the private and public sectors to supply adequate, suitable and affordable housing, the Region shall annually review the factors affecting the supply of housing and the implementation of the policies of this Plan.

- Policy:** 8.10 *The Planning and Development Department, in consultation with the Regional Department of Social Services, other agencies, the Area Municipalities, and community groups, shall annually monitor:*
- *the availability of land and residential lots for future development;*
  - *the variety and mix of housing in new developments;*
  - *unit prices relative to the Provincial and Regional guidelines on affordability;*
  - *the loss of stock through demolitions and conversions; and,*
  - *other relevant indicators.*

## Community Participation

**Basis:** It is recognized that housing issues shall arise which will require policy remedy in this Plan. Regional Council is committed to soliciting input from appropriate Regional and community agencies to assist in the development of policy.

**Policy:** 8.11 *The Region shall solicit input from the Area Municipalities, community agencies, the development industry, business and labour organizations, and the public at large regarding the preparation of the Regional Housing Statement Update and any proposed amendments to the Regional Official Plan relating to housing matters.*

## Servicing

**Basis:** The Provincial Policy Statement "Land Use Planning for Housing" requires all municipalities to prepare a twenty year servicing plan indicating major projects to be undertaken in the future.

Current policy (14.5) requires the development of a ten year plan for transportation and water and sewer and periodic reviews. This policy has not been implemented and the approved recommendation of the Regional Housing Statement is that this policy be implemented to satisfy the requirements of the Provincial Policy Statement. Policy 14.5, therefore, is deleted and the following substituted to reflect the requirements of the Provincial Policy Statement.

## **Policy:**

### **14.5 Twenty Year Transportation Systems Plan and Water and Sewer Plan**

It shall be the policy of Regional Council:

#### **14.5.1 *The Region shall prepare:***

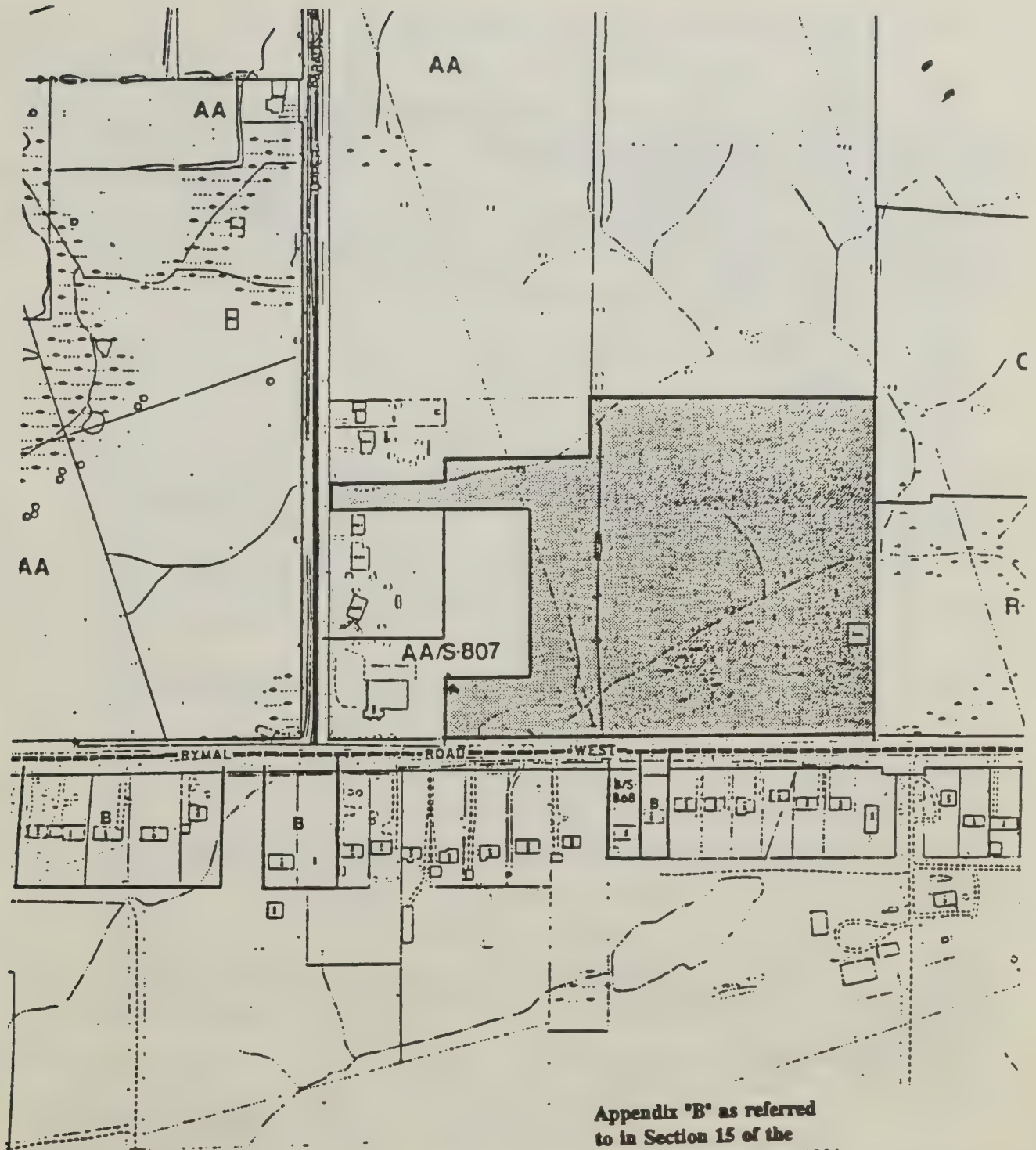
- a) *A twenty year transportation systems and needs plan for the Regional road system; the Regional transit systems; and shall include other transit initiatives affecting the Region including, but not limited to, Hamilton Airport, GO Transit, and provincial transportation initiatives.*
- b) *A twenty year plan for water supply and sewage treatment facilities to serve the development needs of the Region.*

*These plans will identify major transportation, sewer and water projects which are required to be undertaken to achieve Regional development objectives and the timing of their implementation.*

*These plans will also contain a component evaluating the status of existing infrastructure and develop a strategy for increased use and repair of existing infrastructure.*

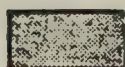
- 14.5.2**      *The twenty year plans shall provide the basis for introducing transportation and sewer-water capital facilities into the Region's five year Capital Budget program. The twenty year plans will be monitored and reviewed annually in order to make the necessary updates and revisions.*



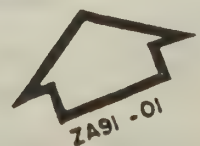


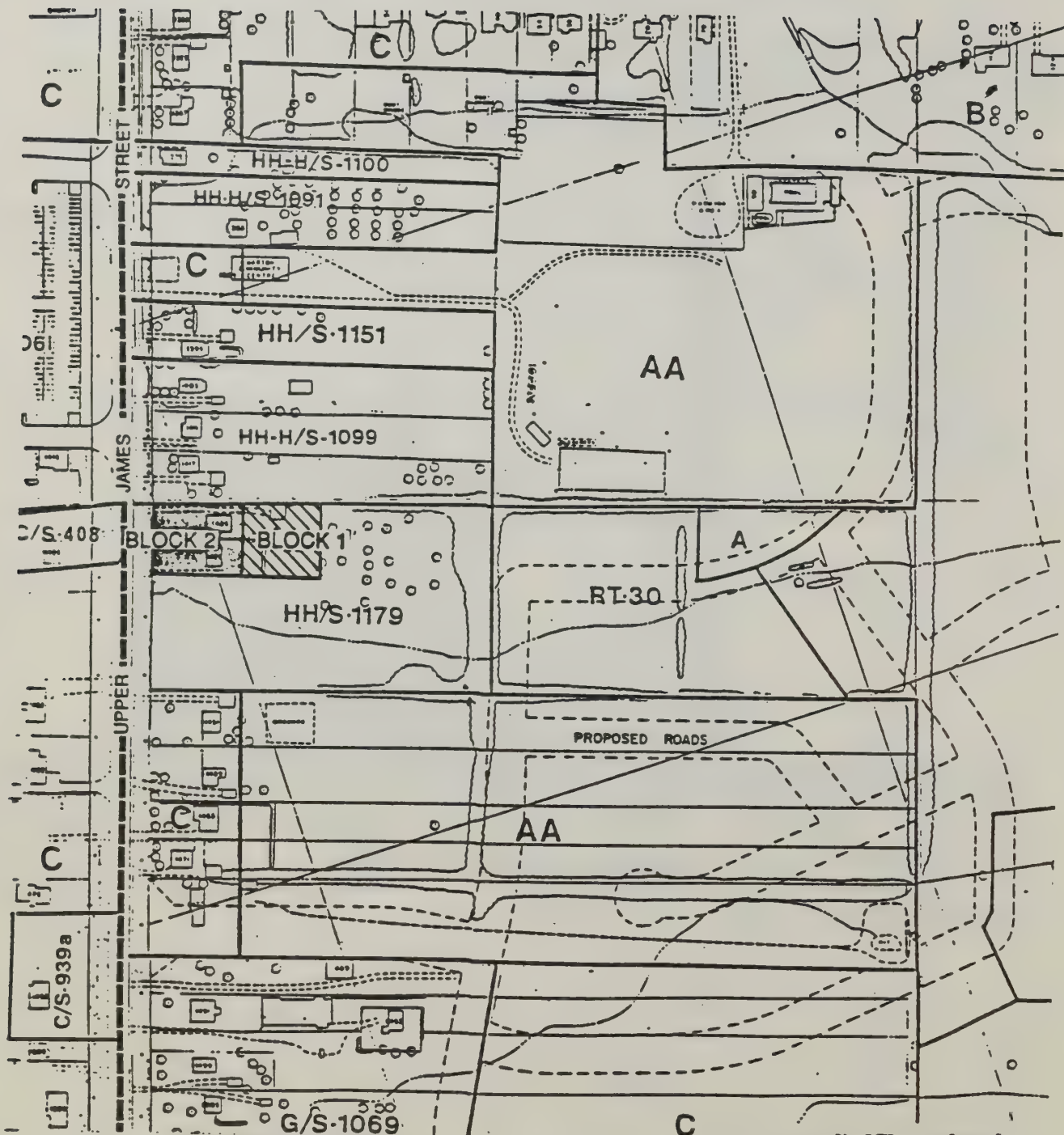
Appendix "B" as referred  
to in Section 15 of the  
TWELFTH Report for 1991  
of the Planning and  
Development Committee

#### Legend



Site of the Application





### Legend

Proposed change in zoning from:



BLOCK 1

"AA" (Agricultural) District to "HH"-H" (Restricted Community Shopping and Commercial-Holding) District.

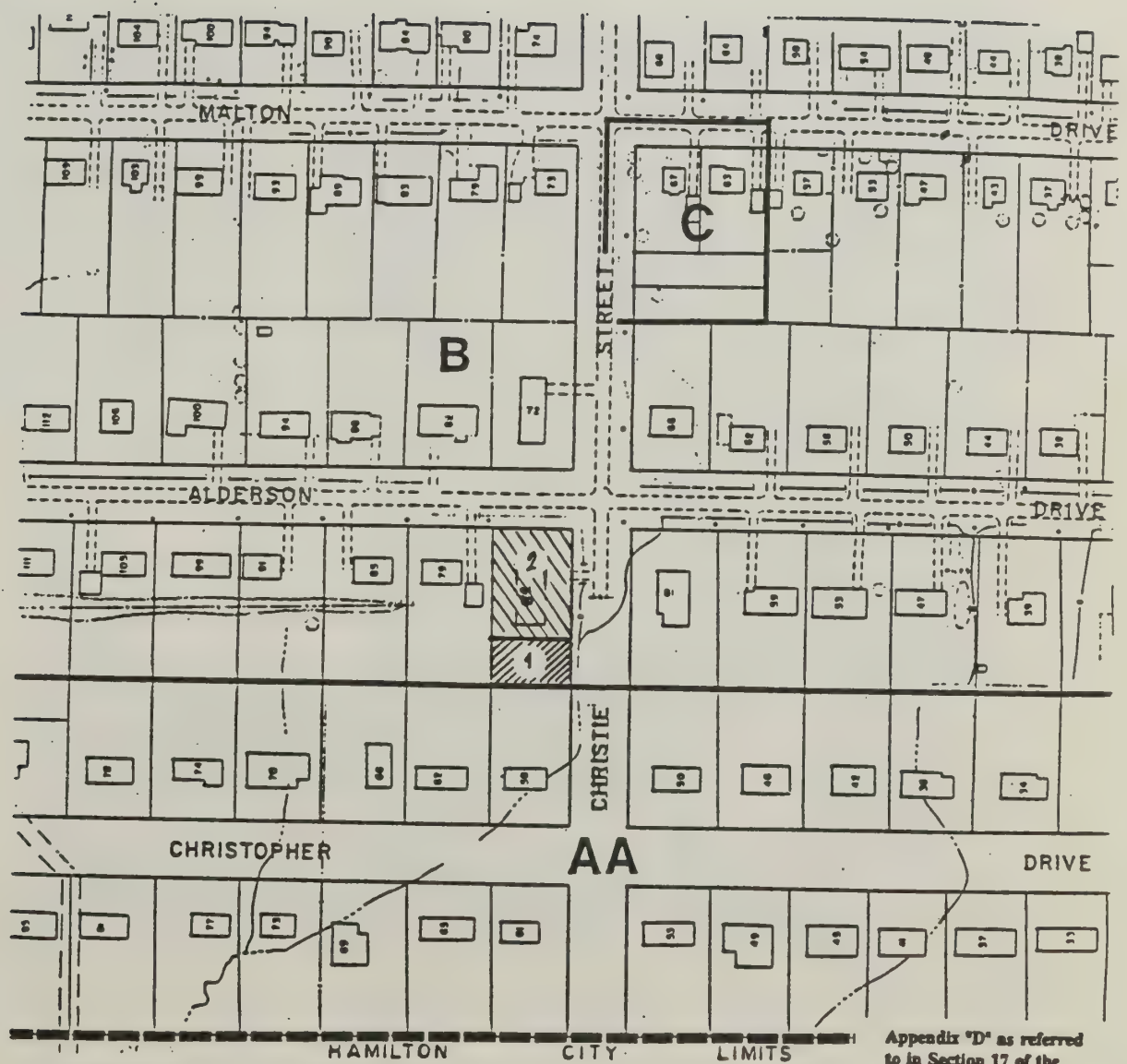


BLOCK 2

"C" (Urban Protected Residential, etc.) District to "HH"-H" (Restricted Community Shopping and Commercial-Holding) District.



Appendix "C" as referred to in Section 16 of the TWELFTH Report for 1991 of the Planning and Development Committee

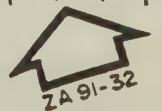




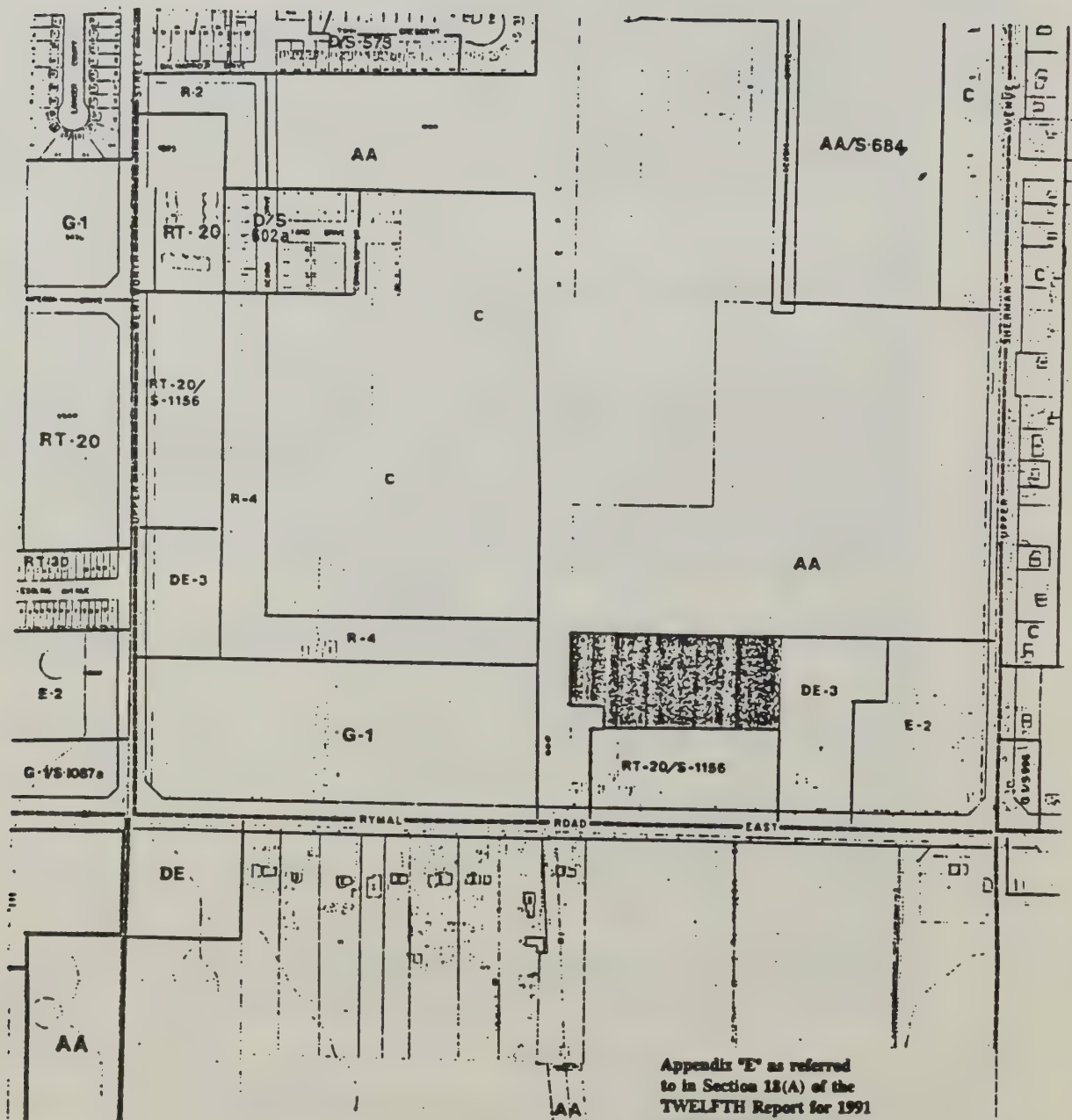
Appendix "D" as referred  
to in Section 17 of the  
TWELFTH Report for 1991  
of the Planning and  
Development Committee

# LEGEND.

- Block 1  CHANGE IN ZONING FROM "B" (SUBURBAN AGRICULTURE AND RESIDENTIAL, ck.) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ck.) DISTRICT.
- Block 2  MODIFICATION TO THE "B" (SUBURBAN AGRICULTURE AND RESIDENTIAL, ck.) DISTRICT.





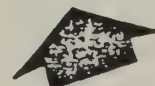


Appendix "E" as referred  
to in Section 18(A) of the  
TWELFTH Report for 1991  
of the Planning and  
Development Committee

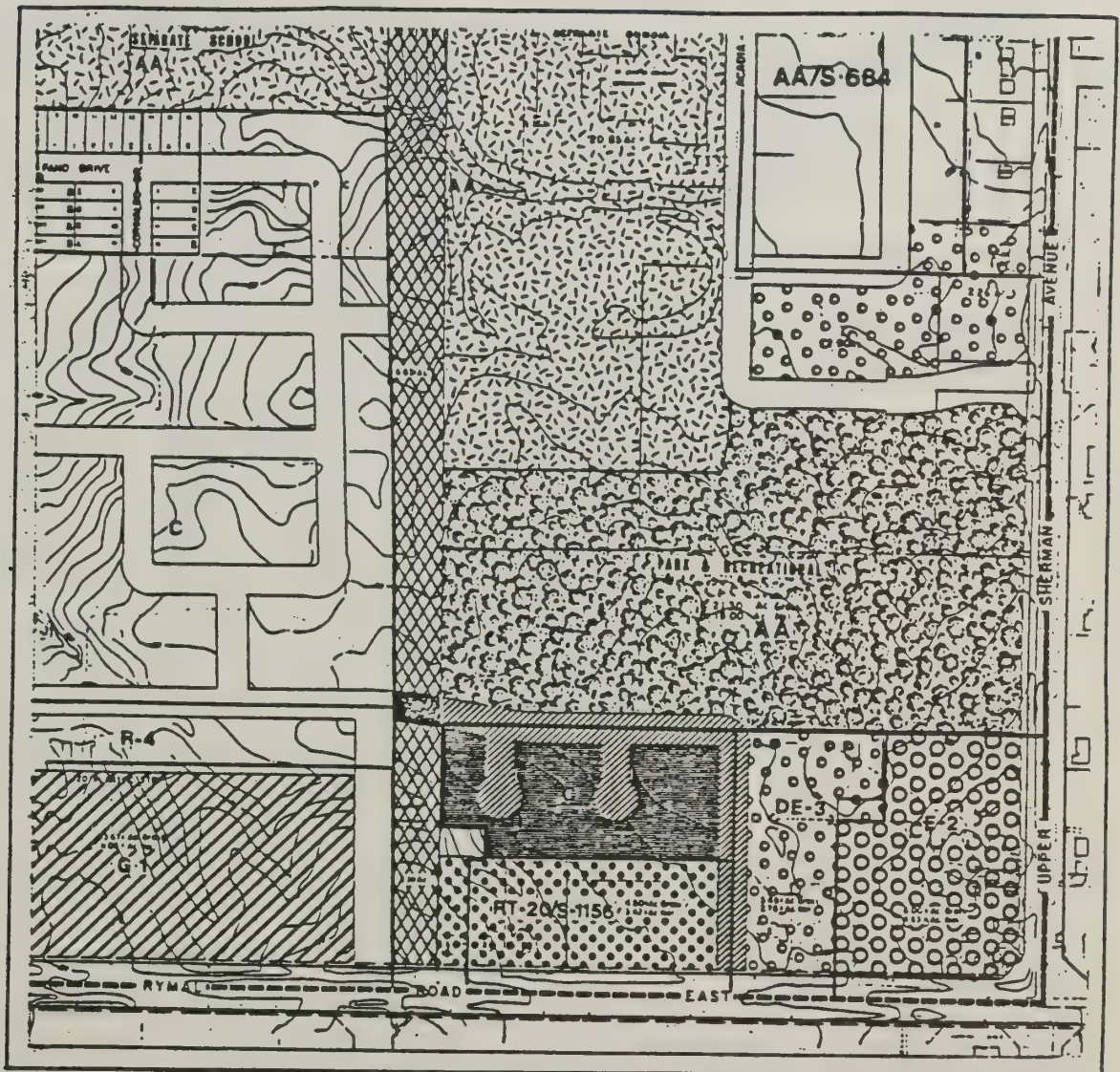
### Legend



Site of the Application



ZA - 90 - 96







# PROPOSED AMENDMENTS BUTLER NEIGHBOURHOOD PLAN

Appendix "P" as referred  
to in Section 18A(f)(ii)  
& 18A(f)(iii) of the  
TWELFTH Report for 1991  
of the Planning &  
Development Committee

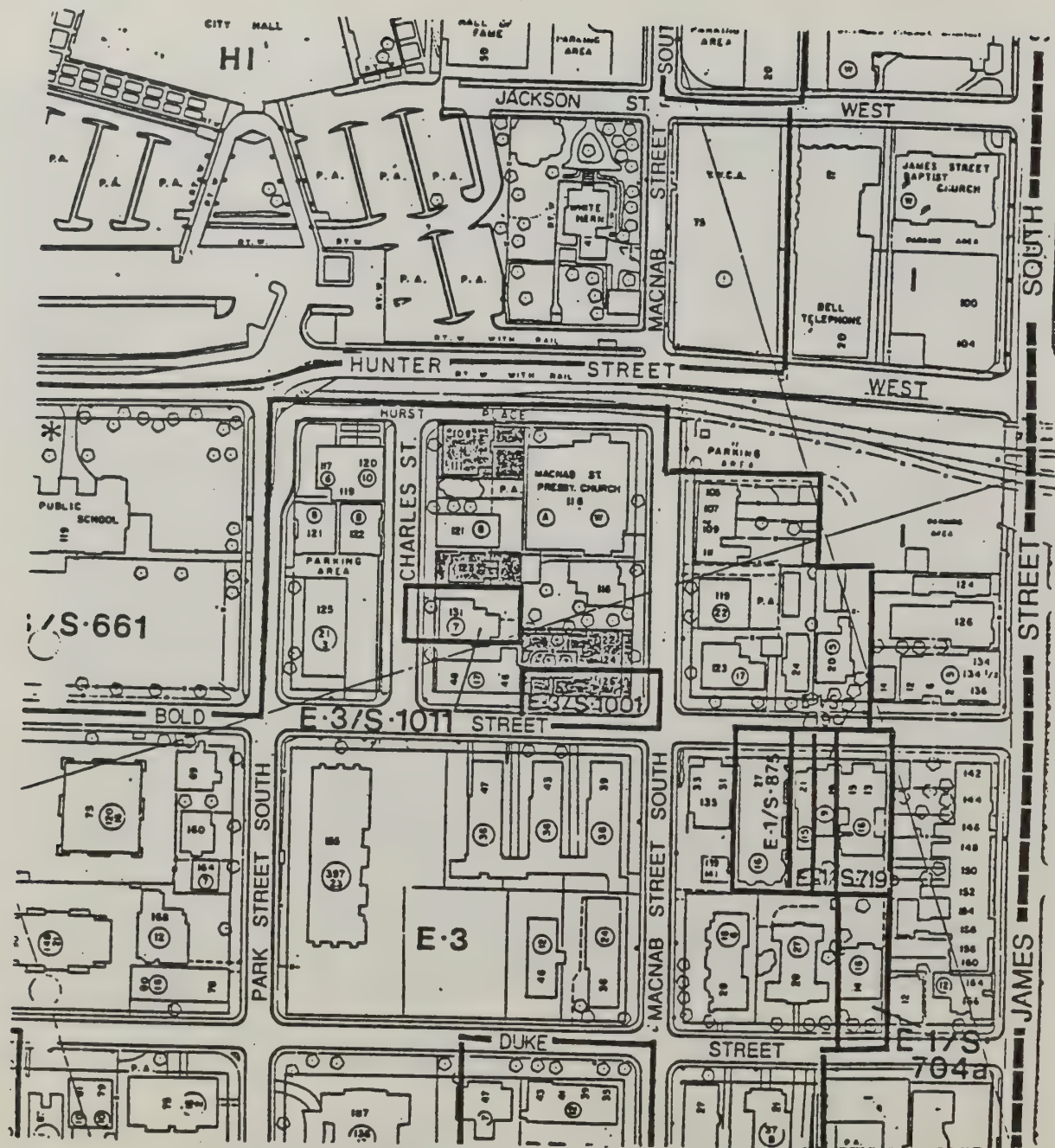
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend

-  Redesignation From "Single And Double Residential"  
To "Attached Housing"
-  Deletion Of Roadway
-  Walkway (66 feet in width)

North 	Scale MTS	Reference File No.
	Date 91-03-03	Drawing No.



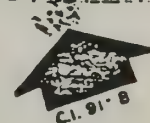


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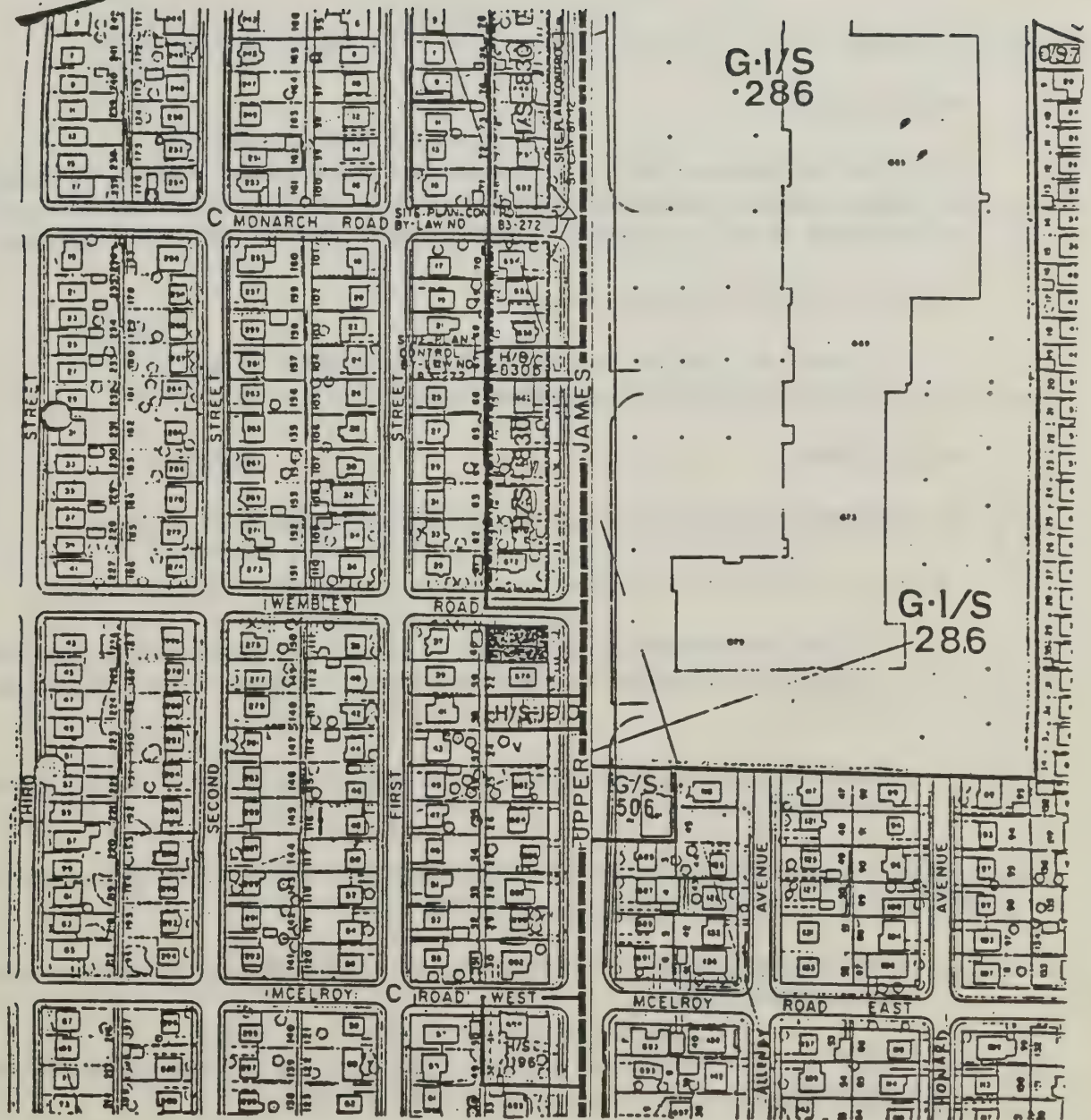


Subject Properties

Appendix "G" as referred  
to in Section 19(B) of the  
TWELFTH Report for 1991  
of the Planning and  
Development Committee







Legend



Site of the Application

Appendix "H" as referred  
to in Section 20(B) of the  
TWELFTH Report for 1991  
of the Planning and  
Development Committee



July 3, 1991

ALLISON NEIGHBOURHOOD PLAN

PROPOSED POLICIES

I. INTRODUCTION

The Allison Neighbourhood Plan has been developed to help ensure the orderly development of the neighbourhood. It defines the type and location of the various land uses which are to be encouraged, as well as a description of the manner in which these are to be developed.

The Plan consists of the following two parts:

- A map of the Land Use Concept, attached as Appendix "A"; and,
- A set of written policies, found under Section 3.

2. BACKGROUND

The availability of sewer services enables Allison Neighbourhood to be developed.

The policies in the Plan have been based on the existing planning policies for the area.

- The land use designations and policies in the City of Hamilton Official Plan, which designate areas in the Neighbourhood for residential, commercial and major institutional uses; and,
- (Special Policy Area 31), which recognizes Upper James Street as a highway oriented commercial area.

The neighbourhood planning process includes several steps to ensure opportunity for review and revision of draft policies; including:

- collection and compilation of background information, on all aspects related to planning of the Neighbourhood;
- preparation of draft land use concepts which are circulated to various agencies for comments;
- holding of a public meeting to discuss the details of the proposed land use concept with area residents and owners; and,
- revision and adoption of the final plan by Committee and Council.

Appendix "I" as referred  
to in Section 21(b) of the  
TWELFTH Report for 1991  
of the Planning and  
Development Committee

### 3. NEIGHBOURHOOD PLAN

#### A. Goals

There are three major goals which the Allison Neighbourhood Plan attempts to achieve, namely:

- neighbourhood self-sufficiency;
- efficient and attractive design; and,
- a viable commercial area on Upper James Street which serves a wider area than the neighbourhood.

#### B. Policies

The following sections contain the planning policies, which are grouped by Land Use types.

##### I. Residential

- The predominant form of land use in the Allison Neighbourhood will be low density residential and related uses.
- Residential development will include:
  - Very large lots in the established housing area with lot sizes of about 12,000 square feet and above;
  - Larger lots, abutting areas of very large lots with lot sizes of about 5,000 square feet and above;
  - Single and double housing in the majority of the undeveloped area with lot sizes of about 4,000 square feet and above; and,
  - Attached housing at the corner of Rymal Road and Upper Wellington.
- Residential development will be encouraged which:
  - is compatible with the height and density of adjacent development;
  - is innovative in design, e.g., energy-efficient; and,
  - includes a variety of housing sizes, densities, types and costs.

Home occupations will be permitted within residential areas, as long as these are compatible with residential uses.



## 2. Commercial

- A variety of commercial uses will be encouraged along Upper James Street and Rymal Road up to the corner of Ryckmans Street, in a planned fashion, to effectively serve the needs of local residents and others, including:
  - highway commercial uses, e.g. gas stations, car dealerships, restaurants which will be permitted along the north part of Upper James Street; and
  - office and service commercial uses, e.g. banks, hairdressing, drycleaning, shoe repair which will be permitted along the south part of Upper James Street;
  - neighbourhood commercial uses will be permitted on Rymal Road between Upper James and Ryckmans Streets. Such commercial uses should not include high traffic generators such as restaurants.
  - Existing commercial uses.
- Vehicular access onto Ryckmans Street, is prohibited from the neighbourhood commercial development at the corner of Rymal Road and Ryckmans Street.

## 3. Civic and Institutional Uses

The Public School (Ryckmans Corners Junior School) and church (Mount Calvary Baptist Church) will be retained to serve the community.

Other civic and institutional services e.g. library, police, fire will be provided outside the neighbourhood.

## 4. Parks, Recreation and Open Space

- A parkette is planned from the proposed extension of Bartlett Avenue to McClary Avenue.
- A Neighbourhood Park will be located east of Springside Drive.
- Other recreational services will be provided outside the neighbourhood.

## 5. Transportation

- New and extended local roads will be provided in Allison to enable the efficient development of the area while discouraging through traffic.
- Pedestrian facilities such as sidewalks/walkways will be provided to access schools, bus routes, parks and commercial areas, etc.

6. Urban Design and Landscaping

- The south part of Upper James Street (primarily designated 'Office and Service Commercial') will retain its treed character. Landscaping will predominate in front of the buildings (either existing or new) and the bulk of parking will be at the rear.
- Existing vegetation will be retained wherever possible, including borders of mature trees, in the interior of the neighbourhood and along arterial roads.
- New trees and other landscaping will be added where possible, such as along arterial roads and on private property. Upper James Street landscaping requirements will be implemented to provide a landscaped strip to the front and the rear of commercial developments in this section.
- Use of new landscaping to maximize the use of passive solar energy for heating buildings will be promoted.
- Heritage buildings with historical and/or architectural significance will be preserved where possible.

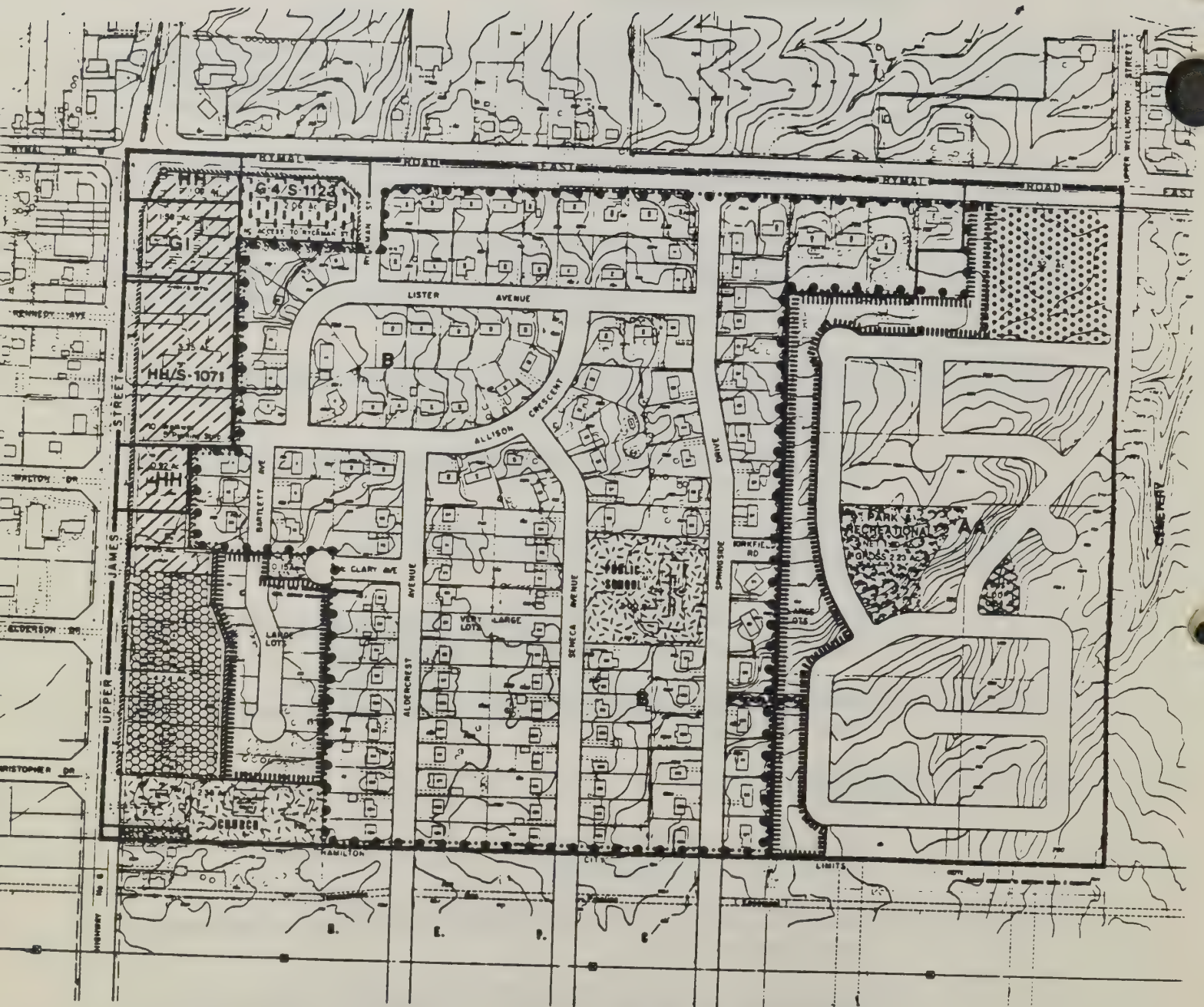
7. Infrastructure

- Full municipal services, including storm and sanitary sewers and adequate water supply will be provided for residents of the neighbourhood.
- New developments will be permitted only in areas to which municipal services have been extended.

8. Plan Implementation

- This plan, when adopted by City Council, will form the framework for the future development of the neighbourhood.
- The plan is intended to be flexible enough to allow for changes which reflect the general goals of the Plan.
- Neighbourhood Plan Amendments will be required only when there are significant changes in the neighbourhood.
- Any significant changes will require input from the citizens affected, and will be approved by City Council.
- Development will be controlled through the zoning by-law and subdivision of land.
- Commercial development and attached housing residential development will be subject to site plan control.





City of Hamilton  
Neighbourhood Location

**LEGEND**

----- AREA SUBJECT TO URBAN DESIGN GUIDELINES

●●●●● AREA OF VERY LARGE LOTS

||||| AREA OF LARGE LOTS

**1988 POPULATION 444**

**Land Use**

<b>Residential</b>	<b>Non-Residential</b>
Single and Double	Offices & Service Comm
Attached Housing	Highway Commercial
Low Density Apartments	Civic and Institutional
Medium Density Apartments	Park and Recreational
High Density Apartments	Open Space
Neighbourhood Commercial (Uses Shall Not Include High Traffic Generators such as a Restaurant.)	Utilities

Note: This is a guide plan only and is subject to change. For details consult the latest Planning Division of the Regional Municipality of Hamilton-Wentworth.

----- Neighbourhood Boundary

----- Zoning Boundary

----- Site Plan Control Boundary

Approvals  
Planning Comm. Aug. 21/81  
Council

Latest Map Amendment: 24.12.82

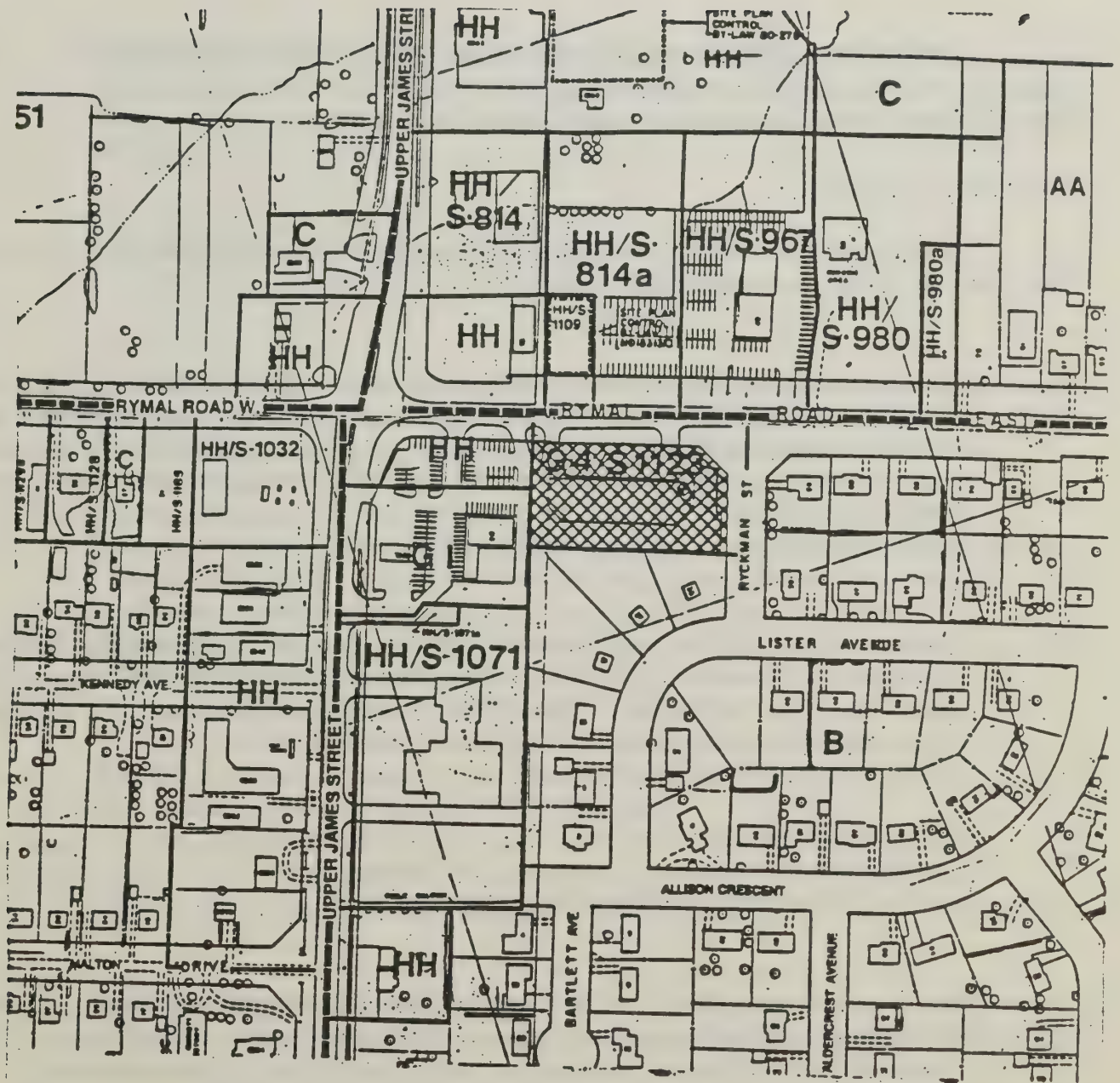
**ALLISON**

**PROPOSED PLAN**

Prepared for the City of Hamilton by the Planning and Development Department  
Regional Municipality of Hamilton-Wentworth

1244



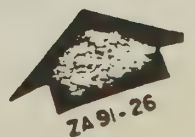


Appendix 'J' as referred  
to in Section 22 of the  
TWELFTH Report for 1991  
of the Planning and  
Development Committee

**Legend**



Site of the Application



August 27, 1991

## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTEENTH** Report for 1991 and respectfully recommends:

1. That a purchase order be issued to H & N Roofing & Sheet Metal Ltd., London in the amount of \$120,779.46, including all taxes, to reroof Coronation, Eastwood and Inch Recreation Centres, being the lowest acceptable of fourteen quotations received, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed through Major Maintenance Account No. CF5255 319141001.
2. That the Council of the Corporation of the City of Hamilton deem that the Festival of the Hellenic Community of Hamilton and District to be held on 1991 August 31, September 1 and September 2, is an event of municipal significance and Council has no objection to the issuance of a Special Occasion Permit.
3. That permission be granted to the Mayor's Race Relations Committee to use the City Hall Council Chamber on Monday, 1991 September 30 from 7:00 p.m. to 9:30 p.m. for a Race Relations Workplace Seminar.
4. That permission be granted to the Mayor's Race Relations Committee to use the second floor east and west foyer area for a Photo Contest Display from 1991 September 23 to 27, with a reception to be held on Friday, 1991 September 27.
5. That permission be granted to the Liberal Task Force on the Status of Disabled Persons to use Committee Room 233 on Thursday, 1991 September 05 from 9:00 o'clock a.m. to 4:00 o'clock p.m. for the purpose of holding hearings.

August 27, 1991

6. That permission be granted to the Take Back the Night Collective to use the following City Hall facilities and related equipment on Thursday, 1991 September 19 for a rally and coffee house in conjunction with the annual Take Back the Night March in Hamilton.
  - (a) 7:00 p.m. to 8:00 p.m - Forecourt
  - (b) 7:00 p.m. to 10:00 p.m. - Room 264
  - (c) 8:00 p.m. to 10:00 p.m. - City Clerk's Foyer
7. That approval be given to the action taken by the City Clerk in authorizing Project Ploughshares to use City Hall Council Chambers on Tuesday, 1991 August 06 for a ceremony commemorating "Peace Day: Hiroshima/Nagasaki".
8. That approval be given to the action taken by the Finance and Administration Committee in authorizing Employees of the Local Industry to use the City Hall forecourt and related equipment on Tuesday, 1991 August 27 from 11:30 a.m. to 2:00 o'clock p.m. for a Rally concerning the proposed Nationalization of Automobile Insurance In Ontario.
9. That City Council consent to the use of the name "Hamilton" in the proposed incorporation of Hamilton Payroll Services Inc.
10. That the fees paid to the City Doctor be increased by 4% effective 1991 January 1.
11. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation to 1991 August 13, attached hereto as Appendix "A", be approved.



12. That the Province be requested to amend the City of Hamilton Act, 1985 Re: HECFI by deleting sections 9 and 13, and substituting the following therefore:

"s.9 (1) (a)The corporation shall have a board of directors who shall **set policy and guide the corporation, its officers, employees, agents and servants** according to the purposes and objects of the corporation.

(b)**The officers of the corporation shall administer and manage the general operation and affairs of the corporation in accordance with the policies of the board and with the practices and procedures of the City as specified in this Act.**

(2) **The Board shall be composed of the Mayor of the City, and such other members as Council may by by-law determine, of whom not more than four shall be members of Council.**

(3) The council members appointed as directors under this section shall be appointed for a term not exceeding their term of office as members of council.

(4) The directors, other than council members, shall be appointed for a term of three years or such lesser number of years so that one-third of the directors retires at the end of each year.

s.13 (a)**The Board may appoint committees that it determines necessary to conduct the business of the Board; and**

(b)**Each committee appointed shall be composed of not less than three members of the Board and shall perform such duties and undertake such responsibilities as the Board specifies; and further each committee shall report to the Board.**

**Recorded Vote.**

YEAS: Mayor Morrow, Aldermen McCulloch, Hinkley, Drury, Copps, Wilson, Formosi, Jackson, Gallagher, Murray. -10.

NAYS: Alderman Kiss. -1.

**CARRIED.**

13.
  - (a) That the City of Hamilton participate in the 1991 Canadian Bar Association, Central and Eastern European Legal Internship Program by training/mentoring an intern from Hungary who is a Municipal Politician as well as lawyer.
  - (b) That the City of Hamilton assist the CBA in implementing a shared response for the Internship with a Hamilton Law Firm; and in the event that funding for the intern is insufficient, that the City consider supporting the internship from unexpended funds in the Law Department account, Outside Counsel, to a maximum of \$5,000.
14.
  - (a) That a Convention/Reception Grant be approved in the amount of \$2,000. to be used to assist in defraying expenses to be incurred in providing a Gala Open House Reception on the occasion of the 35th Anniversary of Hamilton Theatre Inc. to be held on 1991 September 14.
  - (b) That this expenditure be funded within the grants budget and appropriate Grant Account No. CH5AXXX 200XX.
15.
  - (a) That a Convention/Reception Grant in the amount of \$1,500. be made to Famous People Players to be used to assist in defraying expenses to be incurred in providing a reception following their performances at Hamilton Place on 1991 October 12.
  - (b) That this expenditure be funded within the grants budget and appropriate Grant Account No. CH5AXXX 200XX.
16.
  - (a) That a Convention/Reception Grant in the amount of \$4,500. be approved to offset costs associated with the Ontario Provincial Karate Championships, Canadian Grand National Team Championships and the Canadian Junior Karate Championships to be held in the City of Hamilton 1992 February 22.
  - (b) That this expenditure be funded within the grants budget and appropriate Grant Account No. CH5AXXX 200XX.

August 27, 1991

17.
  - (a) That approval be given to the action taken by the Finance and Administration Committee in approving a Convention/Reception Grant in the amount of \$700. which was used to co-host a luncheon held 1991 August 21 in honour of Mr. Irving Zucker who has made a major grant to Theatre Aquarius
  - (b) That this expenditure be funded within the grants budget and appropriate Grant Account No. CH5AXXX 200XX.
18.
  - (a) That approval be given to the action taken by the Finance and Administration Committee in approving a Convention/Reception Grant in the amount of \$1,200. to co-host a reception held at The Hamilton Yacht Club 1991 August 13 on the occasion of the celebration of the granting of the "Royal" prefix.
  - (b) That this expenditure be funded within the grants budget and appropriate Grant Account No. CH5AXXX 200XX.
19.
  - (a) That the two temporary full-time positions created in the Finance Division of the Treasury Department in December 1990 as a result of the implementation of the G.S.T. be disposed of as follows:
    - (i) That the G.S.T. Financial Analyst position be **deleted** and the duties of the position be assigned to other positions, as required.
    - (ii) That the Accounts Payable Input Clerk be **retained** as a full-time permanent position, and
  - (b) that, as a trade-off to retaining one additional position as above, the Treasury Department reduce the full-time staff complement by one other position by the end of 1991, so that the resultant staff complement remains the same, and
  - (c) that the cost of the above additional position continue to be financed in 1991 from the provision established for this purpose until such time as one other position has been eliminated from the complement.



20. That the schedule outlining outstanding business taxes in the amount of \$84,492.33, a copy of which is available from the Treasurer or the Secretary of the Finance and Administration Committee for review upon request, be written-off in accordance with Section 495 of The Municipal Act, R.S.O., 1980, and charged to Account CH15401-00001, Tax Write-Offs.
21. That the following resolution from the City of Oshawa regarding Financial Support for the Rolling Thunder Theatre Group be received.
- "WHEREAS the welfare of a community is measured by its ability to meet the needs of all its citizens, including those persons with special needs,
- AND WHEREAS The Rolling Thunder Theatre Group is comprised of members with special needs,
- AND WHEREAS The Rolling Thunder Theatre Group of Ontario has provided a valuable service to citizens of this community through their performances in educating the public to the needs of our community special populations groups,
- AND FURTHER The Rolling Thunder Theatre Group will no longer be able to continue in providing theatre productions because of the lack of financial resources,
- THEREFORE BE IT RESOLVED that Oshawa City Council, on behalf of its citizens, recognize, support and pay tribute to this Theatre Group by requesting all Provincial Ministries, whose mandate includes persons with special needs, to financially support the continuation of The Rolling Thunder Theatre Group, and, furthermore, that correspondence be sent to all Ontario municipalities over 10,000 population for their support of this resolution with encouragement to all communities to provide support to this organization."
22. That the following resolution from the City of Nepean pertaining to the calling of a Royal Commission Inquiry into the circumstances surrounding the Air India Tragedy be received.

August 27, 1991

WHEREAS Air India Flight 182, a 747 passenger jet carrying 329 people including 295 Canadians from Toronto to London, crashed 110 miles west of the Irish coast on June 23, 1985,

AND WHEREAS all of the 329 passengers and crew, including six infants, 82 children and more than a dozen families perished;

AND WHEREAS after six years of investigation many of the families and friends of these victims have not been satisfied that the Federal Government has done everything in their power to discover the truth about Flight 182 and to ensure that such a tragedy never occurs again,

THEREFORE, BE IT RESOLVED THAT the City of Nepean call on the Federal Government to immediately initiate a Royal Commission of Inquiry into the circumstances surrounding the Air India tragedy including recommendations aimed at ensuring that a similar incident does not re-occur;

AND BE IT FURTHER RESOLVED THAT the Federation of Canadian Municipalities be notified of this request, and that the City of Nepean encourages other municipalities to pass similar motions calling for a Royal Commission of Inquiry into the Air India Tragedy.

23. That the following resolution from the Regional Municipality of Waterloo regarding The Development Charges Act, be received.

THAT the Regional Municipality of Waterloo request the Province of Ontario, in conjunction with the appropriate municipal organizations, to establish a Task Force to review and standardize the administrative implications of the Development Charges Act, S.O., 1989 and Ontario Regulation 725/89.

And that the Region request the Province of Ontario to delay the 23 November, 1991 implementation date for Development Charge By-Laws until the aforementioned review and standardization has been completed;

And further that this resolution be circulated to the Regional Chairmen's group; the Association of Municipalities of Ontario; Municipal Finance Officers Association; Regional Planning Commissioners group; and all municipalities having a population of 50,000 or more.

August 27, 1991

24. (1) That the City Solicitor be authorized and directed to prepare a by-law to amend By-law 80-258, respecting Smoking in Public Places to:

(a) (i) Prohibit smoking in Rest Rooms in a Retail Shop and parts of a Retail Shop used as Offices;

**Recorded vote on section 24(1) (a) (i)**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Gallagher. 12.

NAYS: Aldermen Formosi, Merling, Murray. -3.

**CARRIED.**

(ii) Prohibit smoking in Hairdressing Parlours and Barbershops;

**Recorded vote on section 24 (1) (a) (ii)**

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino. --8.

NAYS: Mayor Morrow, Aldermen Drury, Lombardo, Formosi, Merling, Gallagher, Murray. -7.

**CARRIED.**

(b) Prohibit smoking in a Patient Care Area of a Hospital;

**Recorded vote on section 24 (1) (b)**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Murray. - 12.

NAYS: Aldermen Formosi, Merling. -2.

**CARRIED.**



August 27, 1991

- (c) Prohibit smoking in Reception Areas;

**Recorded vote on section 24 (1) (c)**

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Gallagher, Murray. -10.

NAYS: Mayor Morrow, Aldermen Drury, Lombardo, Formosi, Merling. -5. **CARRIED.**

- (d) Increase the no smoking area in a Restaurant from 20% to 50% of its seating capacity;

**Recorded vote on section 24 (1) (d)**

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo. -9.

NAYS: Mayor Morrow, Aldermen Drury, Formosi, Merling, Gallagher, Murray. -6  
**CARRIED.**

- (e) (i) Prohibit smoking in laundry rooms and common areas in apartment buildings,

**Recorded vote on section 24 (1) (e) (i)**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Gallagher. -11.

NAYS: Aldermen Lombardo, Formosi, Merling, Murray. -4. **CARRIED.**

- (ii) Prohibit smoking in meeting and recreation rooms in apartment buildings. Should there be more than one meeting or recreation room, provision could be made for one designated smoking room;

August 27, 1991

**Recorded vote on section 24 (1) (e) (ii)**

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Wilson, Agostino. -7.

NAYS: Mayor Morrow, Aldermen Drury, Copps, Lombardo, Formosi, Merling, Gallagher, Murray. -8.  
**LOST.**

(f) Prohibit smoking in Bus Shelters;

**Recorded vote on Section 24 (1) (f)**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino. - 10.

NAYS: Aldermen Lombardo, Formosi, Merling, Gallagher, Murray. -5  
**CARRIED.**

(g) Prohibit smoking in common areas of shopping malls with the exception of food courts where the 50% smoking restriction will apply.

**Recorded vote on Section 24 (1) (g)**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Gallagher. - 11.

NAYS: Aldermen Lombardo, Formosi, Merling, Murray. -4  
**CARRIED.**

(h) Change the maximum fine from \$2,000. to \$5,000. which is now set by the Provincial Offenses Act.

August 27, 1991

**Recorded vote on Section 24 (1) (h)**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo. - 10.

NAYS: Aldermen Agro, Formosi, Merling, Gallagher, Murray. -5

**CARRIED.**

- (i) Provide a clause which will require review of the By-law within two years of the date the By-law comes into effect; and to require that the by-law will remain in effect until a subsequent by-law is enacted.

**Recorded vote on Section 24 (1) (i)**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo. - 11.

NAYS: Aldermen Formosi, Merling, Gallagher, Murray. -4

**CARRIED.**

- (j) Provide a clause to require that this by-law will not take effect until 1992 January 1.

**Recorded vote on Section 24 (1) (j)**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo. - 10.

NAYS: Aldermen Drury, Formosi, Merling, Gallagher, Murray. -5 **CARRIED.**



- (2) That By-law 80-258 be amended to prohibit smoking in 20% of the seating capacity of Bars, Lounges and Taverns.

The above matter was lost due to a tie vote at the Finance and Administration Committee meeting and in accordance with policy is now being submitted to City Council for consideration and disposition **AMENDED AND CARRIED.**

**Recorded vote on Section 24 (2) as amended**

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Wilson, Lombardo, Formosi.  
- 8.

NAYS: Mayor Morrow, Aldermen Drury, Copps, Agostino, Merling, Gallagher, Murray.  
-7 **CARRIED.**

- (3) That the City Clerk be directed to review smoking restrictions in Places of Public Assembly and report back to the Finance and Administration Committee with recommendations for compliance.

**Recorded vote on section 24 (3)**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo. - 11.

NAYS: Aldermen Formosi, Merling, Gallagher, Murray. -4 **CARRIED.**

- (4) That upon passage of this by-law and prior to the 1992 January 1 implementation date the City Clerk be authorized and directed to place advertisements in local newspapers advising the public of this new legislation.

**Recorded vote on section 24 (4)**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo. - 11.

NAYS: Aldermen Formosi, Merling, Gallagher, Murray. -4 **CARRIED.**

25. That the City of Hamilton establish an official target of achieving the goal of a smoke free community by the year 2000 in accordance with the World Health Organization.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Jackson. - 12.

NAYS: Aldermen Formosi, Merling, Gallagher, Murray. -4 **CARRIED.**

26. (a) That the City of Hamilton petition the Province of Ontario to change the Legislature to include the declaration of Conflicts of Interest at all Committee meetings in which they may have a conflict;
- (b) That the City of Hamilton's Code of Conduct be amended to make it clear that the Conflict of Interest Legislation applies to Committees as well as Council meetings;
- (c) That City Council reaffirm its current practice of declaring conflict of interest at committee meetings.
27. (a) That the City of Hamilton decline the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 2732/87, dated 1991 June 5.
- (b) That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 2732/87, on the following basis.
- (i) That the City of Hamilton pay to the Plaintiffs, John and Salvina Micallef the \$4,000. inclusive of all claims for damages interest and costs.
- (ii) That the Plaintiffs, John and Salvina Micallef, provide to The Corporation of the City of Hamilton, a Full and Final Release with respect to any and all causes of actions now, or in the future, arising out of the lot grading on Lot 1 of Plan 62M-460 and the existence of a retaining wall between the addresses known municipally as 760 and 766 Upper Paradise Road in the City of Hamilton.

- (iv) That the Plaintiffs, John and Salvina Micallef, consent to the dismissal of Ontario Court (General Division) Action 2732/87 as against the City of Hamilton without costs.
- (v) That if the Third Party, DiCenzo Construction Limited, also pays to the Plaintiffs, John and Salvina Micallef, the sum of \$4,000. inclusive of all damages interests and costs; and further that if the Defendant, Steve Kozar Construction Limited also pays to the Plaintiffs, John and Salvina Micallef, the sum of \$4,000.00 inclusive of all interest and costs; and provided that DiCenzo Construction Limited and Steve Kozar Construction Limited, or either of them also repair the sunken portion of the Micallef's yard adjacent to the retaining wall by filling the depression, grading the area and re-sodding, and construct a fence of at least six feet in height along the lot line between the Micallef's and Lot 1, Plan 62M-460, that the City consent to the dismissal of the Third Party Claim against DiCenzo Construction Limited and all cross claims as between the City of Hamilton and Steve Kozar Construction Limited without costs.
- (vi) That this Offer remain open for acceptance until the commencement of trial or until withdrawn, whichever first occurs.
- (c) That upon DiCenzo Construction Limited or Steve Kozar Construction Limited obtaining from the registered owners of Lot 1, Plan 62M-460 a Full and Final Release in a form satisfactory to the Law Department of any and all rights or causes of action arising out of the lot grading on Lot 1, Plan 62M-460, or the existence of a retaining wall on Lot 1, Plan 62M-460, and between the properties known municipally as 760 and 766 Upper Paradise Road in the City of Hamilton, that the City deem the lot grading requirements of the Subdivision Agreement to be fulfilled with respect to Lot 1 on Plan 62M-460.
- (d) That, provided that all other requirements of the Subdivision Agreement have been complied with, the City consent to the discharge of the Subdivision Agreement and the Release of the securities held thereunder.
- (e) That the Building Department be instructed to inspect immediately the retaining wall between 760 and 766 Upper Paradise Road in the City of Hamilton and, if appropriate, take steps under the Property Standards By-law. That the building Department be further instructed to inspect said wall



August 27, 1991

annually pursuant to the Property Standards By-law until the wall has been replaced.

(f) That the City of Hamilton require the Regional Municipality of Hamilton-Wentworth to pay costs associated with this claim." ADDED AND CARRIED.

28. That the City of Hamilton make an Offer to Settle Ontario Court (General Division) Action No. 16341/89 on the following basis:
- (a) That the City of Hamilton will pay to the Plaintiff, Steven Patrick Preuss, the sum of \$1,500. inclusive of all damages, interest and costs.
  - (b) That the Plaintiff will execute a Full and Final Release satisfactory to the City of Hamilton's Law Department.
  - (c) That the action will be dismissed without costs.
  - (d) That this Offer remains open for acceptance until withdrawn or until the commencement of trial whichever first occurs.
29. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 15206/89 by payment of \$5,220. to Linda Jensen, personally, and as Litigation Guardian for Christine Jensen and Mark Jensen, in the amount of \$5,220. inclusive of legal costs and interests.
- (b) That the Plaintiffs be required to execute a Full and Final Release satisfactory to the City of Hamilton's Law Department.
  - (c) That Ontario Court (General Division) Action No. 15206/89 be dismissed, as against the City of Hamilton, without costs.
30. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 15594A/90 by payment of \$12,250. to the Plaintiffs, Alia Melhem, Melhem Melhem and Nellie Melhem, inclusive of all damages, interests and costs.

- (b) That the Plaintiffs be required to execute a Full and Final Release satisfactory to the City of Hamilton's Law Department.
  - (c) That Ontario Court (General Division) Action No. 15594A/90 be dismissed, as against the City of Hamilton, without costs.
31. That Mr. David Ormerod of the City of Hamilton be awarded a civic gold ring in recognition of winning the National Basketball Championship held at the University of Western Ontario March 1991.
32. (a) That pursuant to City Council's policy with respect to requests received for contributions/donations to relief funds, the request of the Christian Children's Fund of Canada dated 1991 July 02 for a donation of approximately \$155,000. towards relief and recovery efforts in the country of Bangladesh which was struck by a cyclone on 1991 April 29, be referred to the Regional Municipality of Hamilton-Wentworth for consideration.
- (b) That before a decision is made in this matter Regional Council be requested to canvass major municipalities throughout Canada to determine if they have contributed to the Bangladesh Relief Fund through the Christian Children's Fund of Canada.
- (c) That Mr. L. Sage, C.A.O., be instructed to obtain the necessary information on the availability of Federal funding through the Federation of Canadian Municipalities to send municipal employees with specific expertise to Bangladesh to assist in relief efforts.
33. That leave be granted to introduce the following bills:
- (a) **Bill H-38** A By-law to Authorize A Municipal Question to the Vote of The Electors
  - (b) **Bill H-39** A By-law to Authorize The Central/Beasley P.R.I.D.E. Housing Intensification Program

August 27, 1991

(c) **Bill H-40** A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton

34. That Hamilton City Council forward letters to the Premier of Ontario, the Minister of Financial Institutions, the Minister of Municipal Affairs and local M.P.P.'s supporting the employees of the insurance industry in the Greater Hamilton area in their fight against public auto insurance in the Province of Ontario.  
**ADDED AND CARRIED.**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Kiss, Drury, Copps, Agostino, Lombardo, Formosi, Jackson, Gallagher, Murray. -10.

**NAYS:** Aldermen Cooke, McCulloch, Hinkley, Wilson. -4. **CARRIED.**

**RESPECTFULLY SUBMITTED,**

**ALDERMAN B. HINKLEY, CHAIRMAN  
FINANCE AND ADMINISTRATION COMMITTEE**

John Thompson, Secretary  
1991 August 22

Attch.



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Chris Anker	Sportsgroundsman/ Woman (D-14D)	Public Works	Replacing Mr. E. Bettencourt - resigned	\$31,524.76 to \$31,661.76	08/07/91
Ms. Deborah Chambers	Administrative Assistant I (A-N)	Law	Replacing Ms. J. Davis - retired	\$35,994.92 to \$42,446.56	31/07/91
Mr. Ken Cole	Lieutenant (C-7)	Fire	New Position - Council approved March 27, 1990	\$51,063.31	21/07/91
Mr. Gerry Costello	Street Sweeper Operator (D-15B)	Public Works	Replacing Mr. B. T. Merritt - promoted	\$31,356.00 to \$31,772.00	16/07/91
Mr. Ronald Farthing	Foreman/Woman I (11-C)	Public Works	Replacing Mr. R. Duguay - retired	\$37,038.04 to \$44,328.44	15/07/91
Mr. John Gyurko	Parking Meter Collections Clerk (A-3R)	Treasury	Replacing Mr. R. Schofield - retired	\$36,359.44 to \$51,942.02	25/07/91
Ms. C. Douglas Kirby	Entertainment Program & Sales Manager (18-S)	H.E.C.F.I.	New position - Board approved February 22, 1991	\$50,472.24 to \$59,471.88	02/07/91

August 27, 1991

Appendix "A" as referred to in  
Section 2 of the SIXTEENTH Report  
of the Finance & Administration  
Committee for 1991.

Prepared 13/08/91

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Mark Leger	Lieutenant (C-7)	Fire	New Position - Council approved March 27, 1990	\$51,063.31	21/07/91
Mr. Ron MacIntyre	Lieutenant (C-7)	Fire	New Position - Council approved March 27, 1990	\$51,063.31	21/07/91
Mr. Peter Morosin	Foreman I (10-C)	Public Works	Replacing Mr. N. Spisak - retired	\$38,038.52 to \$45,328.40	22/07/91
Mr. Garry Smith	Deputy Fire Chief (E)	Fire	Replacing Mr. J. Fitzpatrick - retired	\$69,023.76 to \$81,279.64	01/07/91
Mr. David Thomas	Labourer/Truck Driver (D-11A)	Public Works	Replacing Mr. A. Hamen - transferred	\$30,699.60 to \$31,085.60	26/07/91
Ms. Debra Vivian	Promotion & Public Relation Officer (16)	H.E.C.F.I.	New Position - due to reorganization	\$45,154.72 to \$53,153.36	15/07/91

August 27, 1991

## THE CORPORATION OF THE CITY OF HAMILTON

## TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Charles Blackburn	Assistant Supervisor Stores	Treasury	Retired	32 years, 1 month	31/07/91
Ms. Joyce Davis	Administrative Assistant	Law	Retired	23 years, 4 months	31/07/91
Mr. John Fitzpatrick	Deputy Fire Chief	Fire	Retired	35 years	31/07/91





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URBAN MUNIC

Hamilton City Council  
September 24, 1991  
7:30 o'clock p.m.  
Council Chamber, City Hall

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor R. M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson,  
Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross.

Mayor Morrow called the meeting to order.

\* \* \* \* \*

Father Eneric Fuzy, St. Cyril and Methodius Slovak Roman Catholic Church led the Council in prayer.

\* \* \* \* \*

A Certificate of Appreciation was presented to Mayor Arthur Eggleton, City of Toronto for his outstanding service as the Mayor of the City of Toronto and for his efforts and his readiness always to work together with us, particularly his support for Hamilton hosting the 1986 Federation of Canadian Municipalities Conference which had been awarded to Hamilton.

A Certificate of Appreciation was presented to the following employees of the Corporation of the City of Hamilton who have met 35 years of service: Charles Ellis, Fire Department, Sam Esposto, Public Works Department, Kenneth Kiernan, Fire Department and Leonard Lockwood, Public Works Department.

A Certificate of Recognition was presented to Enrico Henry Mancinelli on the occasion of his election as Vice-President of the Labourers' International Union of North America.

Civic Awards were presented to the Cardinal Newman Express Soccer Team who won the Ontario Federation of Secondary Schools Athletic Association gold on four occasions.

\* \* \* \* \*

Mayor Morrow introduced Chief Robert Middaugh, the newly appointed Chief to the Hamilton-Wentworth Regional Police Force to the Members of City Council.

\* \* \* \* \*

September 24, 1991

Mayor Morrow proclaimed the following:

September 30th to October 4th, 1991 as "Hamilton Civic Employee Charity Fundraising Campaign" week.

September 15th to September 21st, 1991 as "Legion Week".

September 15th to September 21st, 1991 as "Hamilton and District Extend-A-Family Week".

September 22nd to September 28th, 1991 "Ontario Home Week".

\* \* \* \* \*

Mr. Rick Campanella, Chairman, Hamilton Civic Employee Charity Fundraising Campaign presented a cheque to the Disabled and Aged Regional Transit System (DARTS).

\* \* \* \* \*

The minutes of the City Council meeting held 1991, August 27 were adopted as circulated.

\* \* \* \* \*

**Correspondence:**

1. Resolution dated August 21, 1991 from the Corporation of the City of Windsor respecting bicycle promotion.

**Referred to the Transport and Environment Committee.**

2. Letter dated September 9, 1991 from CP Rail respecting the former TH&B Roundhouse.

**Referred to the Planning and Development Committee.**

3. Letter dated September 23, 1991 from Mr. D Reid, General Manager, Hamilton Municipal Employees' Credit Union Limited regarding the lease of 50 Jackson Street West, Hamilton, Ontario.

**Referred to the Finance and Administration Committee.**



September 24, 1991

4. Letter dated September 20, 1991 from the Regional Municipality of Hamilton-Wentworth regarding Regionalization of the Taxi Industry.

**Referred to the Finance and Administration Committee.**

5. Letter dated September 20, 1991 from the Secretary, Football Hall of Fame and Museum Management Committee respecting the Hall of Fames need for space in the Football Hall of Fame currently occupied by the Hamilton Press Club.

**Referred to the Finance and Administration Committee.**

6. Application dated August 29, 1991 from Elio Borchetta, Hamilton, Ontario for a modification to the established "B-1" (Suburban Agriculture and Residential, etc.) District regulations for No. 52 Heather Road, Hamilton, Ontario.

**Received.**

7. Application dated August 29, 1991 from Kids Care Oncology Central West (Ronald McDonald House), Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District for lands on the west side of Cootes Drive in the area north of Main Street West, Hamilton, Ontario.

**Received.**

8. Application dated August 29, 1991 from Anthony Charles Dabner and David Dennis Hill, Hamilton, Ontario for a modification to the established "K" (Heavy Industry, etc.) District regulations for No. 276 Sanford Avenue North, Hamilton, Ontario.

**Received.**

9. Application dated September 4, 1991 from Vedemo Construction Limited, Hamilton, Ontario for a modification to the "E-3" (High Density Multiple Dwellings) District for 131-133 Market Street, Hamilton, Ontario.

**Received.**

September 24, 1991

10. Application dated September 4, 1991 from 943937 Ontario Inc. (John L. LeCluse), Hamilton, Ontario for a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District for 1489, 1491, 1493, 1495 Upper James Street, Hamilton, Ontario.

**Received.**

11. Application dated September 18, 1991 from Peter Georgakopoulos, Hamilton, Ontario for a modification to the "M-12" (Prestige Industrial) District for 1050 Rymal Road East, Hamilton, Ontario.

**Received.**

12. Letter dated September 10, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-142 regarding property at 64 Ewen Road, Hamilton, Ontario.

**Received.**

13. Letter dated September 10, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-144 regarding property at 402 Upper Wentworth Street, Hamilton, Ontario (formerly Inverness Public School).

**Received.**

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman Hinkley that Rule No. 8 be invoked for this meeting of City Council to permit consideration of a motion respecting a vote concerning the Jamesville B.I.A. on October 9, 1991.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -16.

NAYS: -0.

**CARRIED.**

It was moved by Alderman Agro and seconded by Alderman Hinkley:

WHEREAS the merchants of Jamesville have taken up two petitions both expressing the abolition of the Jamesville B.I.A. and

WHEREAS the petitions are signed by a large majority of the Jamesville B.I.A. membership,

THEREFORE BE IT RESOLVED that a democratic vote be held on Wednesday, October 9, 1991 from 5:00 p.m. to 8:00 p.m. and that the vote be conducted by the City Clerk's Department in conjunction with the Community Development Department and that there be no submissions from either the proponents of the B.I.A. nor the opponents of the B.I.A. and that there be no politicking nor soliciting of votes by anyone near the polling station,

AND FURTHER that each side be allowed only one scrutinizer to check the votes with the City Clerk's Department, and

BE IT RESOLVED that the City Council abide by the wishes of the majority.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, Report of the Special Committee to Administer the Hamilton-Scourge Project and the Finance and Administration Committee, with Alderman Murray in the chair.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*



September 24, 1991

## **TRANSPORT AND ENVIRONMENT COMMITTEE - THIRTEENTH REPORT**

Re: Section 13 - Two Hour Parking Time Limit - Glencarry Avenue

It was moved by Alderman Merling and seconded by Alderman Gallagher that Section 13, Subsection (a) ii of the Thirteenth Report of the Transport and Environment Committee for 1991 be amended by deleting the word "One" after the words "be replaced with a" in the fourth line and by inserting in its place the word "Two". **CARRIED.**

\* \* \* \* \*

## **PARKS AND RECREATION COMMITTEE - SEVENTEENTH REPORT**

Section 1 Re: Permission to sell beer at Globe Park - Clancy's Five Baseball Team

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -16.

NAYS: Alderman Jackson. -1.

**CARRIED.**

\* \* \* \* \*

Section 6 Re: Contract - Chamberlain Architect Services Limited - Renovations to Huntington Park Recreation Centre/Renovations and Addition.

It was moved by Alderman Gallagher and seconded by Alderman Merling that section 6 of the Seventeenth Report of the Parks and Recreation Committee be referred back.

**Recorded vote.**

YEAS: Aldermen Kiss, Agro, McCulloch, Drury, Copps, Lombardo, Merling, Gallagher, Murray, Ross. - 10.

NAYS: Aldermen Cooke, Hinkley, Wilson, Agostino, Formosi, Jackson. -6.

**CARRIED.**

\* \* \* \* \*

September 24, 1991

**PARKS AND RECREATION COMMITTEE - EIGHTEENTH REPORT**

\* \* \* \* \*

**PLANNING AND DEVELOPMENT COMMITTEE - THIRTEENTH REPORT**

\* \* \* \* \*

**INFORMATION SYSTEMS COMMITTEE - FIFTH REPORT**

\* \* \* \* \*

**REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON-SCOURGE PROJECT - FIRST REPORT**

\* \* \* \* \*

**FINANCE AND ADMINISTRATION COMMITTEE - SEVENTEENTH REPORT**

Section 1 Re: Canadian Association of Taxicab Regulatory Administrators Conference - Ottawa.

It was moved by Alderman Drury and seconded by Alderman Lombardo that Section 1 of the Seventeenth Report of the Finance and Administration Committee be amended by deleting the following words from the first line "Alderman D. Drury, Chairman, Taxi Advisory Committee, and". **CARRIED.**

\* \* \* \* \*

Section 14 Re: Lease - Hamilton Press Club - 50 Jackson Street West

Alderman D. Drury declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Drury is a member of the Hamilton Press Club.

It was moved by Alderman Kiss and seconded by Alderman Merling that section 14 of the Seventeenth Report of the Finance and Administration Committee be referred back with instruction that the Director of Property, City Treasurer and City Solicitor prepare full and complete written reports to be made available to all members of City Council and that all members of City Council be notified of the date, time and place of the meeting.

September 24, 1991

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Murray. -10.

**NAYS:** Aldermen Agro, McCulloch, Hinkley, Agostino, Ross. - 5.

**CARRIED.**

\* \* \* \* \*

**Section 21 Re: Lease - Hamilton Municipal Employees' Credit Union - 50 Jackson St. W.**

It was moved by Alderman Copps and seconded by Alderman Lombardo that Section 21 of the Seventeenth Report of the Finance and Administration Committee be referred back.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

**NAYS:** -0.

**CARRIED.**

\* \* \* \* \*

**Section 25 Re: By-law 84-235: By-law to regulate Premises Providing Adult Magazines etc.**

It was moved by Alderman Gallagher and seconded by Alderman Murray that Section 25 of the Seventeenth Report of the Finance and Administration Committee for 1991 be amended by deleting Sub-section (a) in its entirety and replacing it with the following Sub-section (a):

"That the City Solicitor be directed to prepare amendments to By-law 84-235 being a by-law to regulate Premises Providing Adult Magazines, in order to provide for the sale of all adult materials in separate areas with restricted access to adults only, or that all adult materials be kept from public view only to be provided upon request, and"

**CARRIED.**

\* \* \* \* \*



September 24, 1991

Section 32(b) Introduction of Bill H-42. - By-law Respecting Smoking in Public Places.

Alderman T. Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson owns and operates a coffee shop.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman McCulloch that Alderman T. Cooke be appointed Acting Mayor for the month of October, 1991. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, Report of the Special Committee to Administer the Hamilton-Scourge Project, the Finance and Administration Committee and resolutions, be adopted.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**NOTICE OF MOTION FROM PREVIOUS MEETING**

It was moved by Alderman Murray and seconded by Alderman Merling

"that City Council petition the Government of Canada to reinstate capital punishment for pre-meditated murder."

Alderman Ross moved that the question be put, following which debate ensued.

September 24, 1991

Recorded vote on putting the question.

YEAS: Aldermen McCulloch, Jackson, Merling, Ross. -4.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Gallagher. -11. **LOST.**

Recorded vote on Motion by Alderman Murray.

YEAS: Aldermen McCulloch, Drury, Copps, Formosi, Jackson, Merling, Gallagher, Murray, Ross. - 9.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Hinkley, Wilson, Agostino, Lombardo. -7. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-58, A-59, A-60, A-61, A-62, A-63.

C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73.

H-41, H-42, H-43.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

September 24, 1991

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Murray in the chair. (second reading).

A-58, A-59, A-60, A-61, A-62, A-63.

C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73.

H-41, H-42, H-43.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

Bill H-42 Section 3 Re: Hairdressing parlours, barbershops, etc.

**Recorded vote.**

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo. -9.

NAYS: Mayor Morrow, Aldermen Drury, Formosi, Merling, Gallagher, Murray, Ross. -7.

**CARRIED.**

\* \* \* \* \*



September 24, 1991

Bill H- 42 Section 9 Re: Restaurants.

It was moved by Alderman Ross and seconded by Alderman Gallagher

That Section 9, Sub-section 2 of Bill H-42 as referred to in Section 32, Subsection (b) of the Seventeenth Report of the Finance and Administration Committee for 1991 be amended by deleting Section 9, Subsection 2 in its entirety and replacing it with the following:

- "(2) (a) Subject to the Fire Marshals Act, the proprietor of a restaurant having 45 seats or more for customer seating may designate not more than 50% of the eating area for the purpose of smoking.
- (b) Subject to the Fire Marshals Act, the proprietor of a restaurant having 44 seats or fewer for customer seating may designate not more than 70% of the eating area for the purpose of smoking."

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Drury, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. - 8.

NAYS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino. -  
8. **LOST.**

\* \* \* \* \*

Bill H-42 Section 10 Re: Bars, Lounges and Taverns

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino.  
- 8.

NAYS: Mayor Morrow, Aldermen Drury, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. - 8. **LOST.**

\* \* \* \* \*

September 24, 1991

Recorded vote on Bill H-42 (All sections except 3 and 10)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Ross. - 12.

NAYS: Aldermen Formosi, Merling, Gallagher, Murray. - 4. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-58, A-59, A-60, A-61, A-62, A-63.

C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73.

H-41, H-42 (as amended), H-43.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -15.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-58, A-59, A-60, A-61, A-62, A-63.

C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73.

H-41, H-42 (as amended), H-43.

September 24, 1991

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -15.

**NAYS:** -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 10:10 o'clock p.m.

\* \* \* \* \*



## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **THIRTEENTH** Report for 1991 and respectfully recommends:

1. (a) i. That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of The Registry Act, R.S.O. 1980, for an order to stop-up and close a portion of the unassumed alleyway at the rear of Number 34 Thorndale Avenue;
- ii. That the Commissioner of Transportation/Environmental Services be directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed;
- iii. That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court;
- iv. That the applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor;
- v. That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act;

- vi. That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners;
- vii. That the applicant provide an easement to Bell Canada for a pole line within the limits of the closure;

(b) Provided the Judge's Order to close the highway is granted:

- i. That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law for the sale of the closed highway to the abutting owner(s);
  - ii. That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1980, of the City's intention to pass the by-law.
- 2. That City Council enact the appropriate By-law to authorize the construction of local improvements of concrete sidewalk on the east side of Centennial Parkway between Hamilton/Stoney Creek City limits and Vineyard Road.
  - 3. That City Council enact the appropriate By-law to authorize the construction of local improvements of concrete sidewalks on south side of Limeridge Road between Upper Sherman and Hydro Right-of-Way.
  - 4. That upon receiving the final approval from the Ministry of Environment, the Real Estate Division of the Property Department be authorized to sell the twenty-four (24) building lots in the City's Wheten Court Plan of Subdivision on Mohawk Road East by the Public Tender Process.
  - 5. (a) That an Agreement to Accept Compensation executed by Anthony DiSilvestro, President of 800064 Ontario Inc. on August 8, 1991 and scheduled for closing on or before October 21, 1991, be approved and completed. This property which is required for the establishment of a roadway in Falkirk East Neighbourhood (Rymal Estates Subdivision) has a frontage along the northerly limit of Rymal Road West of 20.117 metres (66 feet) more or less, containing 5,620.5 square metres (1.388 acres) shown as Parts 1 and 2 on Expropriation Plan No. 440182 C.D. registered on December 18, 1987. The purchase price of \$23,346.75 (including \$745.75 tax adjustment), be charged to Account Number CH5X323 00107 (Reserve-City's Share of Services Through Unsubdivided Lands);

- (b) That on closing of this transaction, the former owner agrees to pay to the City the sum of \$3,000.00 to reimburse the City for a portion of the costs in carrying out this expropriation. This amount be credited to Account Number CH59050 30001 (Outside Recoveries);
- (c) That prior to the payment of final compensation, the City shall receive:
  - i. from Kee-Salvalaggio Limited a Direction to make payments herein to 800064 Ontario Inc. and both from 800064 Ontario Inc. and from Kee-Salvalaggio Limited, a Deed together with a Full and Final Release, all executed under their respective corporate seals;
  - ii. the City's original Offer of Compensation cheque (with tax adjustments) of \$45,945.75, or this amount shall be returned to the City, as the final settlement herein agreed to is for the total sum of \$22,601.00, (plus the said tax re-adjustment of \$745.75).
- 6. That Regional Council be requested to introduce a comprehensive advertising campaign to promote the mulching and/or composting of grass as opposed to the gathering and bagging of grass clippings, thereby reducing the tonnage of garbage being picked up along with the household garbage, then being hauled to SWARU and/or the landfill site.
- 7. (a) That the Transport and Environment Committee recommend to City Council that the construction of an independent concrete curb on the north side of Leaside Road between Brighton Avenue and Dunn Avenue be proceeded with as a Local Improvement pursuant to Section 12 of the Local Improvement Act, at an estimated gross cost of forty thousand, eight hundred and fifty dollars (\$40,850.), as provided in the 1991 portion of the 1991-1995 Capital Budget with a City share of forty thousand, eight hundred and fifty dollars (\$40,850), and;
- (b) That the Finance and Administration Committee be requested to recommend a source of funds for this Capital Project, and;
- (c) That the Director of Public Works be authorized to construct these works once all the necessary approvals have been received.



8. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing:

The application of D. Baird agent, for the Westdale Business Improvement Association (944 King Street West, Hamilton), to temporarily close the south parking lane on the King Street West road allowance between Paisley Avenue and Marion Avenue, from 10:00 a.m. Friday, September 13, 1991 to 12:00 midnight Saturday, September 14, 1991, and King Street West, between Newton Avenue and South Oval from 8:00 a.m. to 12:00 midnight on Saturday, September 14, 1991, subject to the following conditions:

- (a) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
- (b) That advance temporary road closure signs be installed one week in advance by the City of Hamilton, Traffic Department, on the affected roadways and at the expense of the organizing group;
- (c) That the applicant ensure the clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City;
- (d) That the applicant provide proof of \$2,000,000 public liability insurance naming the City as an added insured party with a provision for cross liability, and holding the City harmless from all actions, causes of action, interests, claims demands, costs, damages, expenses and loss;
- (e) That the applicant reimburse the Regional Police, Transportation/Environmental Services, City of Hamilton, Traffic Department and any other agency for any actual costs incurred by these agencies as a result of this event;
- (f) That no property owner or resident within the barricaded area be denied access to their property upon request;

- (g) That all property owners and tenants along the closed portion of the route be notified of the festival by the applicant at least two weeks prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
9. (a) That Section 11 of the Transport and Environment Committee Report, 12-90, adopted by City Council on 1990, September 25 which refers to the approval of the engineering schedules for "EASTGATE HEIGHTS EXTENSION, HAMILTON", be deleted and,
- (b) That the following submitted schedules, be adopted for inclusion in the Subdivision Agreement with the Owners, for the estimated cost of services in:

"EASTGATE HEIGHTS EXTENSION", HAMILTON

City's Share - NIL - Subdivider's Share - \$46,595.71

Note: Schedules revised to include 7% G.S.T. on inspection fees.

"QUEENSTON HEIGHTS"

City's Share - NIL - Subdivider's Share - \$177,088.00

- (c) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements between the City and the respective owners;
- (d) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Plans and subdivision agreements have been registered;
- (e) That in the event any Subdivider wishes to proceed prior to the registration of the Final Survey Plan, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing.

10. (a) That the following City lands be incorporated into the various streets as noted below:  
  
Queen Victoria Drive Part 11, Plan 62R-6257, and  
Block "AX", Plan M-192  
  
Glen Forest Drive Block "A", Registered Plan 1421, and  
Block "F", Plan M-62  
  
(b) That the appropriate By-Laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council;  
  
(c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
11. (a) That the proposed roadway improvements on Centennial Parkway and Arrowsmith Road and the intersection realignment of Centennial Parkway and Arrowsmith Road, including the installation of traffic signals at this intersection required as a result of construction of a proposed commercial plaza on the east side of Centennial Parkway at Arrowsmith Road, be advertised in accordance with Section 301 of the Municipal Act;  
  
(b) That Hamilton Home and Design Centre Incorporated be advised of this action.
12. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Rondar Inc. carrying out the proposed PCB destruction for National Slag Limited at 139 Windermere Road in Hamilton provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional By-Laws are complied with fully;  
  
(b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the MOE be waived so that the proposed work can be carried out as scheduled;  
  
(c) That no specific permits are required for the proposed work.



13. That City Traffic By-Law 89-72 be amended as follows:

(a) i. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of Glencarry Avenue which commences at a point 114 feet north of King Street and extends to a point 61 feet northerly therefrom, be replaced with a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation; and

ii. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m. Monday to Friday" regulation on the west side of Glencarry Avenue which commences at a point 124 feet north of King Street and extends to a point 51 feet northerly therefrom, be replaced with a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation.

**AMENDED AND CARRIED.**

(b) That an "Alternate Side Parking" regulation be implemented on Norfolk Street North between Main Street and Sanders Boulevard such that parking is prohibited:

- on the west side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and
- on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November.

(c) That a "Two Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the north side of Crockett Street between East 34th Street and East 35th Street and on the south side of the street between East 35th Street and a point 118 feet westerly therefrom.

(d) i. That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on both sides of Milton Avenue from Barton Street to Myler Street be replaced by a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation; and

- ii. That the existing "No Parking" regulation on the east side of Milton Avenue commencing at a point 369 feet north of Barton Street and extending to a point 51 feet northerly therefrom, be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation; and
  - iii. That the existing "No Parking" regulation on the east side of Milton Avenue commencing at a point 104 feet north of Barton Street and extending to a point 93 feet northerly therefrom, be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation.
- (e) That a "One Hour Parking Time Limit, 8:00 a.m. to 9:00 p.m., Monday to Friday" regulation be implemented on both sides of Delmar Drive commencing at a point 597 feet east of Columbia Drive and extending to a point 490 feet easterly therefrom.
- (f) That a "No Stopping" regulation be implemented on the west side of Hess Street North, commencing at point 74 feet south of Peter Street and extending to a point 116 feet southerly therefrom.
- (g) i. That a "Permit Parking" regulation be implemented on the south side of Picton Street East between John Street North and Catharine Street North; and
- ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to each of the first ten eligible applicants residing on Picton Street East between John Street North and Catharine Street North.
- (h) That the By-law authorizing the installation of parking meters on the north side of King William Street between John Street North and Catharine Street North be rescinded.
- (i) That the existing "No Parking" regulation on the south side of Luscombe Street which commences at Upper Wellington Street and extends to a point 75 feet westerly therefrom be extended, such that the regulation commences at Upper Wellington Street and extends to a point 125 feet westerly therefrom.



- (j) That parking be prohibited on the east side of Southwood Drive between Fennell Avenue and the north curb line of Morningside Drive.
- (k) i. That a "No Stopping" regulation be implemented on the east side of West Avenue South commencing at King Street East and extending to a point 96 feet southerly therefrom; and
  - ii. That a "No Parking" regulation be implemented on the west side of West Avenue South commencing at King Street East and extending to a point 115 feet southerly therefrom.
- (l) That the existing "No Parking" regulation on the south side of Maplewood Avenue which commences at Sherman Avenue South and extends to a point 50 feet easterly therefrom, be extended such that the regulation commences at Sherman Avenue South and extends to a point 127 feet easterly therefrom.
- (m) That a "No Parking" regulation be implemented on the west side of Lottridge Street commencing at a point 110 feet north of Clinton Street and extending to a point 105 feet northerly therefrom.
- (n) That "Permit Parking" signs not be erected on the west side of Railway Street between Cannon Street West and the northerly end.
- (o) That the existing "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on the south side of Napier Street between Pearl Street and Wellesley Street, be shortened such that the regulation commences at Wellesley Street and extends to a point 36 feet easterly therefrom.
- (p) That the existing "Permit Parking" regulation on the south side of Burton Street which commences 91 feet east of Emerald Street North and extends to a point 22 feet easterly therefrom be removed.
- (q) i. That, in conjunction with the existing "Alternate Side Parking" regulation, a "Permit Parking" regulation be implemented on:
  - the north side of Holmes Avenue, commencing 107 feet west of Emerson Street and extending to a point 47 feet westerly therefrom; and



- the south side of Holmes Avenue, commencing at a point 69 feet west of Emerson Street and extending to a point 20 feet westerly therefrom; and
  - the south side of Holmes Avenue, commencing at a point 115 feet west of Emerson Street and extending to a point 29 feet westerly therefrom; and
- ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mrs. Mitchell, No. 10 Holmes Avenue and one parking permit to Mr. Sparks, No. 14 Holmes Avenue.
- (r) i. That, in conjunction with the existing "Alternate Side Parking" regulation, a "Permit Parking" regulation be implemented on the north side of Campbell Avenue commencing at a point 42 feet east of Agnes Street and extending to a point 20 feet easterly therefrom, and on the south side of Campbell Avenue commencing at a point 10 feet east of the east curb line of Agnes Street and extending to a point 24 feet easterly therefrom; and
- ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Marcia Stanton, 185 Campbell Avenue.
- (s) i. That a "Permit Parking" regulation be implemented on the north side of Shaw Street commencing at a point 282 feet west of Emerald Street North and extending to a point 20 feet westerly therefrom; and
- ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mr. James A. Decker, 35 Shaw Street.
- (t) i. That a "Permit Parking" regulation be implemented on the east side of Gibson Avenue commencing at a point 332 feet south of Barton Street East and extending to a point 22 feet southerly therefrom; and
- ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mr. N. De Vincentis, 158 Gibson Avenue.
- (u) That the existing "Permit Parking" regulation on the south side of Somerset Avenue commencing at a point 247 feet west of Barnesdale Avenue North and extending to a point 20 feet westerly therefrom, be relocated such that the

regulation commences at a point 56 feet west of Barnesdale Avenue North and extends to a point 20 feet westerly therefrom.

- (v) That the existing yield sign be replaced such that southbound traffic on Devonport Street be required to stop for eastbound and westbound traffic on Tom Street.
- (w) That eastbound traffic on Morgan Road be required to stop for northbound and southbound traffic on Caroga Court.
- (x) That three-way stop control be implemented at the intersection of Republic Drive and Brigade Drive.
- (y) That three-way stop control be implemented at the intersection of Dundonald Avenue and Kimberley Avenue.
- (z) That four-way stop control be implemented at the intersection of Shadyside Avenue and Halam Avenue:
  - (aa) i. That northbound motorists in the east curb lane of Mount Albion Road be required to turn right at King Street East; and
  - ii. That northbound motorists in the second and third lanes from the east curb of Mount Albion Road be required to turn left at King Street East.
- (bb) i. That the existing "No Parking" regulation on the west side of Parkview Drive between Norwood Road and Franklin Avenue be replaced by a "No Stopping" regulation; and
- ii. That the existing "No Parking" regulation on the south side of Norwood Drive commencing at the southerly leg of Parkview Drive and extending to a point 121 feet easterly therefrom be replaced by a "No Stopping" regulation; and
- iii. That the existing "No Parking" regulation on the north side of Norwood Road between Parkview Drive and Uplands Avenue be replaced by a "No Stopping" regulation.

- (cc) i. That the Director of Traffic Services be authorized to issue parking permits to the residents at Nos. 22, 24, 26, 28, 30, 32, 34 and 36 Riverdale Drive; and
  - ii. That a permit parking regulation be implemented on the east side of Riverdale Drive in front of Nos. 22 to 36 Riverdale Drive.
- 14. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first nine applicants residing in the apartment building at No. 46 Bold Street.
- 15. (a) That the existing residential boulevard parking agreement registered as Instrument No. 359677 C.D. to the property at No. 212 MacNab Street North be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
- 16. That the School Crossing Guard at the intersection of Maplewood Avenue and Norway Avenue be relocated to the intersection of Maplewood Avenue and Springer Avenue on a trial basis to be reviewed in January, 1992.
- 17. (a) That the Chairman or his designate be authorized to attend the 1991 Fall Meeting of the Air & Waste Management Association to take place on September 22 to 24, 1991 at Hockley Valley, Ontario;
- (b) That costs for attendance be allocated to Alderman Travel Account No. CH55201 10010 from the 1991 Operating Budget.
- 18. (a) That Rogers Cable be permitted to erect an overhead cable TV wire across Kenora Avenue at 150/154 Kenora Avenue; and
- (b) That Rogers Cable be responsible for any costs associated with this erection.



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19. That leave be granted to introduce the following Bills:

- (a) **Bill A-58** A By-law to Authorize the Construction of Local Improvements of Concrete Sidewalks on the East Side of Centennial Parkway between Hamilton and/Stoney Creek Limits and Vineyard Road.
- (b) **Bill A-59** By-law to Authorize the Construction of Local Improvements of Concrete Sidewalks on the South Side of Limeridge Road between Upper Sherman and Hydro Right-of-Way.
- (c) **Bill A-60** A By-law to Incorporate City Lands into Queen Victoria Drive.
- (d) **Bill A-61** A By-law to Incorporate City Lands into Glen Forest Drive.
- (e) **Bill A-62** A By-law to Amend By-law 89-72 to Regulate Traffic.
- (f) **Bill A-63** A By-law to Amend By-law 89-72 to Regulate Traffic.

**RESPECTFULLY SUBMITTED,**

T. Agnello  
Secretary  
September 16, 1991

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**

## **REPORT OF THE PARKS AND RECREATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SEVENTEENTH** Report for 1991 and respectfully recommends:

1. That approval be given to Clancy's Five Baseball Team to sell beer on the occasion of their baseball tournament to be held at Globe Park on Friday, 1991 September 27 until Sunday, 1991 September 29, subject to the following terms and conditions:
  - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the applicant assume responsibility for all labour related costs as a result of this event.
  - (d) That the concessionaire be contacted to make the necessary arrangements for the provision of food.

### **Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Gallagher, Murray, Ross.  
-16.

NAYS: Alderman Jackson. -1.

**CARRIED.**

2. That a purchase order be issued to Shersdale Inc. o/a Electrical Maintenance Services, Hamilton, in the amount of \$84,900.00, including all taxes, being the lowest of three tenders received, to supply and install track lighting at Mohawk Sports Park, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Track Lighting, Mohawk Sports Park Account No. CH56398 62910. **REFERRED BACK.**
3. (a) That the following land leased for farming purposes to Malcolm Bethune be approved:
  - i. 33.94 acres, more or less, on the Turner Farm situated on Regional Road East at an annual rental of \$848.50 (\$25.00 per acre) including estimated realty taxes of \$1,031.30, and credited to Account No. CH44104 31106 (Rental Civic Properties - Civic Properties Rented).
  - ii. 59.59 acres, more or less, of land at the Mount Hamilton Cemetery at an annual rental of \$1,489.75 (\$25.00 per acre) including estimated realty taxes of \$1,760.01, and credited to Account No. CH44118 63001 (Rental Cemeteries).
- (b) That the lease commence on 1991 May 1 for a period of two (2) years and terminate on 1993 April 30.
- (c) That the City Solicitor be authorized to prepare the necessary leases.
4. That the newly developed neighbourhood park within the T. B. McQuesten Multi-Cultural Gardens be officially named Rushdale Park.
5. That the "Sachem" printing press, previously approved for deaccessioning, be advertised to Ontario museums through the Trillium Network or to other appropriate institutions.



6. (a) That approval be given to enter into a contract with Chamberlain Architect Services Limited of Burlington, Ontario as the Prime Consultant for the Huntington Park Recreation Centre/Renovations and Addition. The contract amount will be \$237,500.00 - two hundred and thirty-seven thousand, five hundred dollars.
- (b) That a contract satisfactory to the City Solicitor be entered into between the City and the prime consultant, Chamberlain Architect.
- (c) That the Mayor and City Clerk execute the contract on behalf of the City.
- REFERRED BACK.**

**Recorded vote.**

YEAS: Aldermen Kiss, Agro, McCulloch, Drury, Copps, Lombardo, Merling, Gallagher, Murray, Ross. - 10.

NAYS: Aldermen Cooke, Hinkley, Wilson, Agostino, Formosi, Jackson. -6.

**CARRIED.**

7. (a) That the Director of Culture and Recreation be authorized to proceed with the second direct snack bar (food and beverage) operation at the Mountain Arena.
- (b) That, within the terms of the Business Plan for Concession Services, the Director of Culture and Recreation be authorized to:
- i. Acquire the necessary start-up equipment and supplies from within the current Department budget allocations, complying with purchasing and financing policies, to an amount not to exceed \$12,000.00.
  - ii. Purchase ongoing food, beverage and confectionaries from revenues generated from sales.
  - iii. Co-ordinate any building modifications with the Property Department.

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- iv. Provide part-time/seasonal staffing of the snack bar consistent with staffing policies at Lawfield Arena with costs not to exceed \$350.00 per week until the end of this year.
- 8. That the Director of Culture and Recreation be authorized to restructure the Programming Section of the Recreation Division to provide for dedicated program co-ordination, within the existing program staffing, to the following areas:
  - Fitness and Aerobic Classes
  - Community Special Needs Programs
  - Community Development Programs
  - Department Communications and Information Services
  - Arts Programming in Community and Recreation Centres
  - The 1992 Ontario Senior Games

These positions do not require reclassification and are within the current staff compliment.

- 9. That Mr. Irving Zucker be nominated by City Council for a Department of Communications' "Lescarbot Award" as a respected and significant benefactor to the Arts.

**Respectfully Submitted,**

**K. Christenson**  
Secretary

**ALDERMAN T. MURRAY, CHAIRMAN**  
**PARKS AND RECREATION COMMITTEE**

**1991 September 17**

September 24, 1991

## **REPORT OF THE PARKS AND RECREATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **EIGHTEENTH** Report for 1991 and respectfully recommends:

1. (a) That a purchase order be issued to Demik Construction Limited, 1250 Stone Church Road East, Hamilton, Ontario in the amount of \$2,920,000.00 (lowest acceptable of the 10 bids received), for the construction of the new Sackville Hill Seniors Recreation Centre, 680 Upper Wentworth Street, Hamilton, Ontario.

This amount does not include the estimated amount of \$204,400.00 for the Goods and Services Tax (G.S.T.).

- (b) That approval be given to enter into a contract, satisfactory to the City Solicitor, with Demik Construction Limited, 1250 Stone Church Road East, Hamilton, Ontario for the construction of the new Sackville Hill Seniors Recreation Centre, 680 Upper Wentworth Street, Hamilton, Ontario. The contract amount will be \$2,920,000.00.
- (c) That the Mayor and the City Clerk execute the contract on behalf of the City.

**Respectfully Submitted,**

**K. C. Christenson**  
Secretary

**ALDERMAN T. MURRAY, CHAIRMAN**  
**PARKS AND RECREATION COMMITTEE**

**1991 September 24**



## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1991 and respectfully recommends:

1. That a Hamilton Rehabilitation Programme (H.A.R.P.) application be approved for 13 Albemarle Street, Diana & Gerald Crewe. The actual amount of grant or loan to be determined by inspection of the property under Property Standards By-law 74-74, and pursuant to By-law 78-133 for the Hamilton Rehabilitation Programme (H.A.R.P.).
2. That the Building Commissioner be authorized to issue a demolition permit for the following properties:
  - (a) 403 Sherman Avenue North
  - (b) 1258 Upper Wentworth Street
3. That an increase of one thousand, and sixty-four dollars (\$1,064.) under the Community Heritage Trust Fund for a revised loan amount of nine thousand, one hundred and forty-four dollars (\$9,144.) be approved for Mr. H. Ollesch, 172-176 Locke Street South, Hamilton. The interest rate will be six percent, amortized over ten years.
4. That an increase of one hundred and fifty dollars (\$150.) for a Designated Property Grant for a revised grant amount of one thousand, nine hundred and fifty dollars (\$1,950.) be approved for Mrs. Roshan Dharsee, 27 Bold Street, Hamilton.

5. That a purchase order be issued to The Landmark Group Ltd., Mississauga, in the amount of \$57,284.99 plus applicable taxes, to supply, deliver and install Office Furniture in the Building Department, being the lowest acceptable of four quotations received, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed through Renovate Building Department, Administration and PX Divisions, Furniture and Fixtures Account No. CF509141017 5330.
6. That a purchase order be issued to 877138 Otario Inc. o/a Bud's Contracting, Stoney Creek, in the amount of \$147,987.69 including all taxes being the lowest of five (5) quotations received for landscape improvements, Central/Beasley P.R.I.D.E., in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Central/Beasley P.R.I.D.E., Account No. CF5200 429002003.
7. That the City of Hamilton accept the sum of \$18,500. as cash payment in lieu of the 5% land dedication in connection with "South Hill - Phase 2", Hamilton, being the cash requirement under Section 50 of the Planning Act. The lands of South Hill - Phase 2 are located south of Rymal Road West and west of Upper James Street in the Kennedy East Neighbourhood.
- 8.(a) That approval be given to the "Intent to Designate" Princess Elizabeth School as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached hereto as Appendix "A";  
  
(b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
9. That the 5% Parkland Credit for Block 69 of Plan 62M-577, be transferred to the lands on Upper Wentworth Street and Balharbour Drive, to be owned by Wellington Chase Inc.

10. That the Mayor and the City Clerk be authorized to execute the necessary documents to release Altofort Development Inc., Hamilton from the construction covenants to the City as contained in Deed Instrument Numbers 199581 L.T. and 199582 L.T., Lot 7 and the north half of Lot 6, Plan M-227, Part 1, 62R-8630, Lancing Drive registered on 1987 May 4.
- 11.(a) That an Agreement by Owner to Accept Compensation for the property of Mr. Joseph Kusz, executed on 1991 September 10 and scheduled for closing on or before 1991 November 30, be accepted and completed. The subject property being Municipal Number 211 Brant Street, having a total frontage along the northern limit of Brant Street 21.505 metres (70.55 feet) more or less, shown as Part 2 on Expropriation Plan No. 79835, together with all structures erected thereon. That the total compensation of \$78,000. along with all associated costs be charged to Account Number CF 55903 08750001 (Land Acquisition - Enclave Clearance Program) and that demolition of the structure at 211 Brant Street take place upon closing.
  - (b) That the Mayor and City Clerk be authorized to execute this Agreement on behalf of the City.
- 12.(a) That City Council endorse the Association of Municipalities of Ontario's position papers on the Provincial Government's Ministry of Housing Green Papers entitled, "A Housing Framework for Ontario", and "Government Land for Housing"; and,
  - (b) That the City of Hamilton request the Province of Ontario to conduct another round of consultations on their "preferred approach" before passing Provincial legislation.
13. That approval be given to Zoning Application 91-31, Antonio and Sestina Aceti, owners, for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, to permit the creation of two additional single-family residential lots, for the property known as 193 Stone Church Road West, as shown on the attached map marked as Appendix "B", on the following basis:



- (a) That the subject lands be rezoned from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map W-9C for presentation to City Council; and,
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
14. That approval be given to Zoning Application 91-38, Fred and Theresa Dalpetz, owners, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located at 297 Stone Church Road West, as shown on the attached map marked as Appendix "C", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-Law No. 6593 and Zoning District Map W-17C for presentation to City Council;
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
15. That approval be given to Zoning Application 91-34, Hamilton Horseshoe Pitching Club, Inc., Lessee, requesting a modification to the "KK" (Restricted Heavy Industrial) District, to permit a private club (horseshoe pitching), a restaurant and a public hall (billiard room with one table) within the existing building, for the property located at 170 Brockley Drive, as shown on the attached map marked as Appendix "D", on the following basis:
- (a) That the "KK" (Restricted Heavy Industrial) District regulations, as contained in Section 17A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:

- (i) That notwithstanding Section 17A(1), the following commercial uses shall be permitted within the existing building only:
    - (1.) a private horseshoe pitching club, including a billiard room and a restaurant as accessory uses;
  - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1244, and that the subject lands on Zoning District Map E-123 be notated S-1244;
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-123 for presentation to City Council;
  - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning area.
- 16.(a) That approval be given to Zoning Application 91-28, John F. Petis, owner, for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "E-3" (High Density Multiple Dwellings) District, for property located at 180-188 Wilson Street, as shown on the attached map marked as Appendix "E", on the following basis:
- (i) That the subject lands be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "E-3" (High Density Multiple Dwellings) District;
  - (ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council;
  - (iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received Site Plan approval, for the subject lands.

- 17.(A) That approval be given to Official Plan Amendment No.103 for the establishment of a Special Policy Area, to permit the parking use within the "Residential" designation, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (B) That approval be given to Zoning Application 89-113, 546544 Ontario Inc. (Juraj Sulug - President and Secretary Treasurer), owner, for a change in zoning from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District for Block "1", from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District for Block "2", and from "C" (Urban Protected Residential, etc.) District, modified, to "G-3" (Public Parking Lots) District for Block "3", to allow the use of the subject lands for parking purposes, in conjunction with an adjacent existing commercial use at 921 Queenston Road, for property located on the south side of Strawberry Drive, east of Lake Avenue North, (rear of 921 Queenston Road East), shown as Blocks "1", "2" and "3" on the attached map marked as Appendix "F", on the following basis:
- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District;
  - (b) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District;
  - (c) That Block "3" be rezoned from "C" (Urban Protected Residential, etc.) District modified, to "G-3" (Public Parking Lots) District;
  - (d) That the "G-3" (Public Parking Lots) District regulations, as contained in Section 13C of Zoning By-Law No. 6593, applicable to Blocks "1", "2" and "3", be modified to include the following variances as special requirements:
    - (i) That notwithstanding Section 13C, only a parking lot used in conjunction with the commercial use located on adjoining lands at 921 Queenston Road in the City of Stoney Creek shall be permitted;
    - (ii) That a visual barrier not less than 2.0 m in height, excluding vehicular access, shall be provided and maintained along the northerly, westerly and easterly property lines;



- (iii) That a planting strip of not less than 1.5 m in width, excluding vehicular access, shall be provided and maintained along the northerly and westerly property lines;
  - (iv) That a planting strip of not less than 3.0 m in width, shall be provided and maintained along the easterly property line;
  - (v) That no vehicular access to or egress from Strawberry Drive shall be permitted.
- (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1245, and that the subject lands on Zoning District Map E-125 be notated S-1245;
  - (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-125 for presentation to City Council; and,
  - (g) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No.103 by the Region of Hamilton-Wentworth.
- (C) That the amending By-law not be forwarded for passage by City Council until such time as the applicant applies for and receives Site Plan approval, including the payment of all outstanding servicing costs to the City and Region adjacent to the 0.3 m reserve on Strawberry Drive.
18. That amended Zoning Application 91-08, 668550 Ontario Limited (A. Tuite and L. Centurami), owners, requesting an amendment to the Official Plan to redesignate the lands from "Residential" to "Commercial", and to rezone the lands from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District, modified to permit the development of the subject lands for a 40 seat, fast food restaurant with a drive through facility, for property located at 75 Rymal Road East, as shown on the attached map marked as Appendix "G", be denied for the following reasons:
- (a) It represents an undesirable extension of a 'highway commercial' use into an area designated and used for single-family residential uses;

- (b) There is an adequate supply of commercially zoned and designated land to accommodate the proposed use in the area of Upper James Street and Rymal Road;
  - (c) It does not comply with the intent of the approved Ryckman's Neighbourhood Plan which designates the subject lands for "Single and Double Residential" use;
  - (d) The requested "G-3" (Public Parking Lots) District modified zoning is inappropriate for the proposed development, in that the only building permitted is one used for the shelter of attendants. In this regard, the proposed amendment to the "G-3" District to permit a 'fast food' restaurant on the site has the same effect as rezoning the lands to a commercial district such as the "HH" (Restricted Community Shopping and Commercial, etc.) District. Furthermore, the "G-3" District modified is a misnomer, in that the lands will not be developed for a 'parking lot';
  - (e) In 1990, the applicant was granted an extension of the commercial zoning for the lands to the west to 'square off' the site to allow for commercial development. At that time, the applicant amended the Zoning Application to delete the subject lands for commercial development; and,
  - (f) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Neighbourhood Plan and alter the character of the area.
19. That approval be given to Zoning Application 91-37, David John Armstrong, owner, requesting a further modification to the "HH" (Restricted Community Shopping and Commercial) District regulations, to permit a gas bar, variety store, bank, professional offices (excluding medical), dry cleaner outlet, video store and drug store, for lands at the south-west corner of Upper Sherman Avenue and Limeridge Road East, as shown on the attached map marked as Appendix "H", on the following basis:
- (a) That By-law No. 88-205 and By-law No. 90-273 be repealed in their entirety.
  - (b) That the subject lands be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community and Commercial) District;

- (c) That the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations, as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
    - (i) That notwithstanding Section 14A(1), only the following commercial uses shall be permitted:
      - (1.) a bank;
      - (2.) professional offices (excluding medical);
      - (3.) a dry cleaner outlet;
      - (4.) a video store;
      - (5.) a drug store;
      - (6.) a variety store; and,
      - (7.) a gas bar.
    - (ii) That a landscaped strip not less than 3.0 m in width and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire westerly and southerly lot lines.
  - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1246, and that the subject lands on Zoning District Maps E-27A and E-27B be notated S-1246;
  - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-27A and E-27B for presentation to City Council;
  - (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
20. That Section 14 of the Twenty-First Report for 1990 of the Planning and Development Committee, respecting Zoning Application 90-67, be amended to remove the condition which required the by-law to be held in abeyance until approval of a site plan, for lands located on the west side of Rice Avenue, south of Chedmac Drive, as shown on the attached map marked as Appendix "I", on the following basis:



- (a) That Section 14(b)(ii)(1.)(b) be amended to permit a maximum of 41 townhouse dwelling units;
- (b) That a new Section 14(b)(ii)(1.)(d) be added as follows, and the subsequent Section be renumbered accordingly:

"That notwithstanding Section 2.(2)A.(xiiaa) of By-law No. 6593, one dwelling unit shall be permitted in the same building as the residential care facility."

- (c) That Section 14(c) be deleted and the following substituted therefore:

"That the approval of a noise study shall be included as part of Site Plan approval."

- 21. That approval be given to register plans of Site Plan Control Application DA-91-52 by Oshawa Holdings Ltd., owners of 590 Nash Road North, to amend the plans of Site Plan Control Application DA-87-86, registered on title on 1988 July 20, as Instrument No. 466524CD.
- 22. That leave be granted to introduce the following Bills:
  - (a) Bill C-63 A By-law to amend Zoning By-law No. 6593 respecting lands located in the area north of Rymal Road East and west of Upper Gage Avenue.
  - (b) Bill C-64 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1175 Stone Church Road East.
  - (c) Bill C-65 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 135 Nebo Road.
  - (d) Bill C-66 A By-law to adopt Official Plan Amendment No. 100 respecting lands bounded by Rymal Road East to the north, the City Limits to the south, Upper James Street to the west and the Mount Hamilton Cemetery to the east within the Allison Neighbourhood.

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- (e) Bill C-67 A By-law to adopt Official Plan Amendment No. 101 respecting land located at Municipal No. 674 Upper James Street within the Bonnington Neighbourhood.
- (f) Bill C-68 A By-law to adopt Official Plan Amendment No. 102 respecting lands located at Municipal Nos. 122-126 MacNab Street South and 109, 111 and 123 Charles Street within the Durand Neighbourhood.
- (g) Bill C-69 A By-law to amend Building Code By-law No. 85-86 to authorize Building Permits and Fees.
- (h) Bill C-70 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 82 Christie Street.
- (i) Bill C-71 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 987 Upper Paradise Road.
- (j) Bill C-72 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1425 and 1429 Upper James Street.
- (k) Bill C-73 A By-law to amend Zoning By-law No. 6593 and to repeal Zoning By-law No. 87-29 respecting lands located at Municipal Nos. 122-126 MacNab Street South and 109, 111 and 123 Charles Street.

Respectfully submitted,

ALDERMAN F. LOMBARDO, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Charlene J. Coutts  
Secretary  
1991 September 18

## REASONS FOR DESIGNATION

### Former Princess Elizabeth School, 235 Bowman Street

#### Context

The former Princess Elizabeth School at 235 Bowman Street is located on the eastern edge of the residential area of West Hamilton, near the foot of the escarpment. Set well back from the street on its original 3-acre piece of property, this distinctive early 20th century school building is surrounded by open space attractively landscaped with grass, shrubbery and mature trees. The school and its setting are enhanced by a panoramic view of the escarpment to the south and south-east.

#### Architectural Significance

The original West Hamilton School, designed by the local architectural firm of Warren & McDonnell and erected in 1922, was a one-storey steel and reinforced concrete structure clad in rug brick and Indiana limestone with four classrooms built around a central auditorium. In anticipation of future increases in pupil enrolment, the original building was designed to be enlarged first by a second storey providing five additional classrooms (built in 1930) and later by a rear addition, which was never built. Considered to be specialists in school architecture, F.W. Warren and the partnership of Warren & McDonnell designed a number of schools in the Hamilton area and throughout the province. Two known extant buildings which stand out for their size and architectural distinction are the W.H. Ballard School in Hamilton's east end, reputedly "the largest public school in Canada" when it opened in 1923, and the Elizabeth Zeigler School in Waterloo, opened in 1931.

Ranking among Hamilton's finest early 20th century school buildings, Princess Elizabeth is one of several outstanding examples of the Collegiate Gothic style: also worthy of mention are Memorial School (1919), Delta Collegiate (1924), Cathedral Boys' High School (1928), Westdale Secondary School (1930), and McMaster University's five original stone buildings (1931).

Characteristic Collegiate Gothic features of Princess Elizabeth include the emphasis on horizontal lines (accentuated by its low profile and stone banding) and the prominent central entrance with carved stone Gothic detailing. The original cut stone entrance features a Tudor-arched doorway, double arched wood doors, and a rib moulding over the doorway sprung from two carved figure heads. The turreted frontispiece of the second storey addition designed by F.W. Warren is crowned by a crest displaying the symbol of learning: an open book.

The building appears to have been designed to appeal to children: noteworthy in this regard are its inviting scale, the fanciful quality of its architectural detail, and the natural light and views provided by the large multi-paned classroom windows reaching almost to the floor. The architectural integrity of the exterior is remarkable: except for minor alterations to the two side entrances and the replacement of the original carved stone West Hamilton School sign, the three main facades (north,

Appendix "A" as referred  
to in Section 8(a) of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee



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south and west), including the original front entrance doorway and the windows, have been preserved intact.

Princess Elizabeth was one of relatively few early 20th century public schools in Ontario planned with the classrooms located around a central auditorium lit from above, a feature of only two other Hamilton schools: Memorial and W.H. Ballard. Described at the time of the school's opening as "the showroom" of the building, the original auditorium was a spacious, 2-storey multi-purpose hall designed to accommodate assemblies, indoor sports and athletics, concerts and lectures, and various other school and community activities. Its impressive interior space was illuminated by a large central skylight and featured a coved ceiling with a grid of twenty amber glass panels diffusing the light from above. The auditorium space was modified in 1930 by the addition of the second storey classrooms and corridor forming an open cantilevered balcony around three sides, and was further altered in 1971 by the enclosure of this balcony by a solid partition wall with small windows and the consequent obscuring from view of the ceiling cornice at the ground floor level.

#### Historical Significance

Built to accommodate children from the village of West Hamilton, the original West Hamilton School was commissioned by the Wentworth County Board in response to ratepayers' demands for a new facility to relieve the overcrowding at Binkley, the only public school then serving a large area encompassing the village. Originating as a small suburban survey opened in 1908 and bounded by the Dundas Road, the escarpment, the Rifles Ranges and Bowman Street, West Hamilton had by the 1920s grown into a thriving community with numerous stores and businesses.

West Hamilton School came under the jurisdiction of the Hamilton Board of Education in 1930, when the village was annexed by the City, and was doubled in size the same year. Renamed Princess Elizabeth School in 1940, the building served as a public school until 1983, when all of its pupils were transferred to Prince Philip School on Rifle Range Road. Leased for seven years to the Wentworth Montessori School, the building was purchased in 1991 by the Hamilton Hebrew Academy for use as a seminary.

#### Designated Features

Important to the preservation of the former Princess Elizabeth School are the original features of the west (front), north and south facades, and on the interior: the entrance hallway, two original stairways, corridors and auditorium. Included is the decorative stonework, the original steel-sash windows and wood doors (interior and exterior), the coved ceiling and skylight of the auditorium, the glazed wall tile and original woodwork. Excluded are the rear wall and the modern fire-rated partition walls enclosing the balcony and stairwells.

### Legend



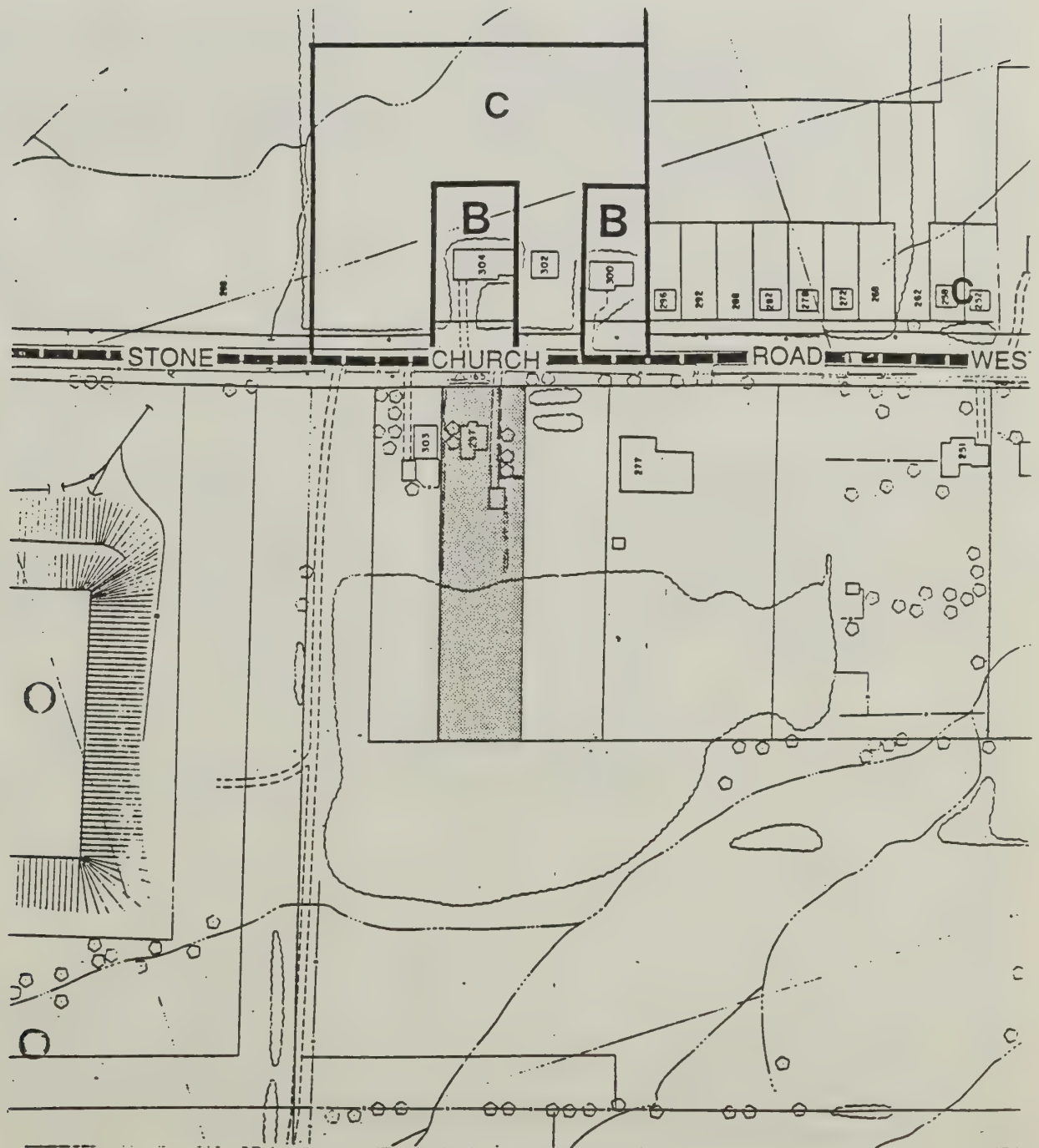
### Site of the Application



1311

**C 13**

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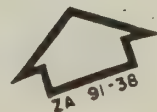


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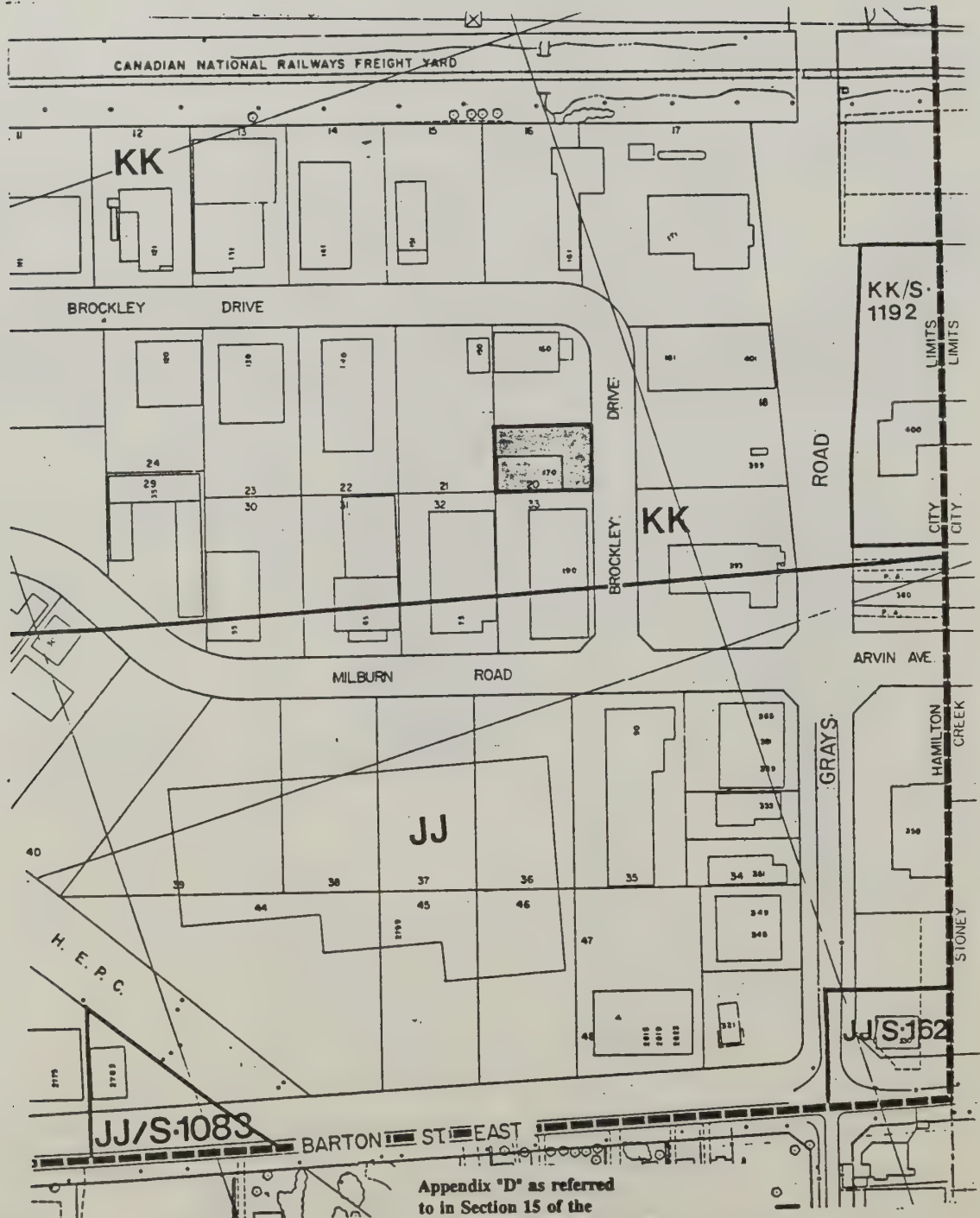
Site of the Application

Appendix "C" as referred  
to in Section 14 of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee





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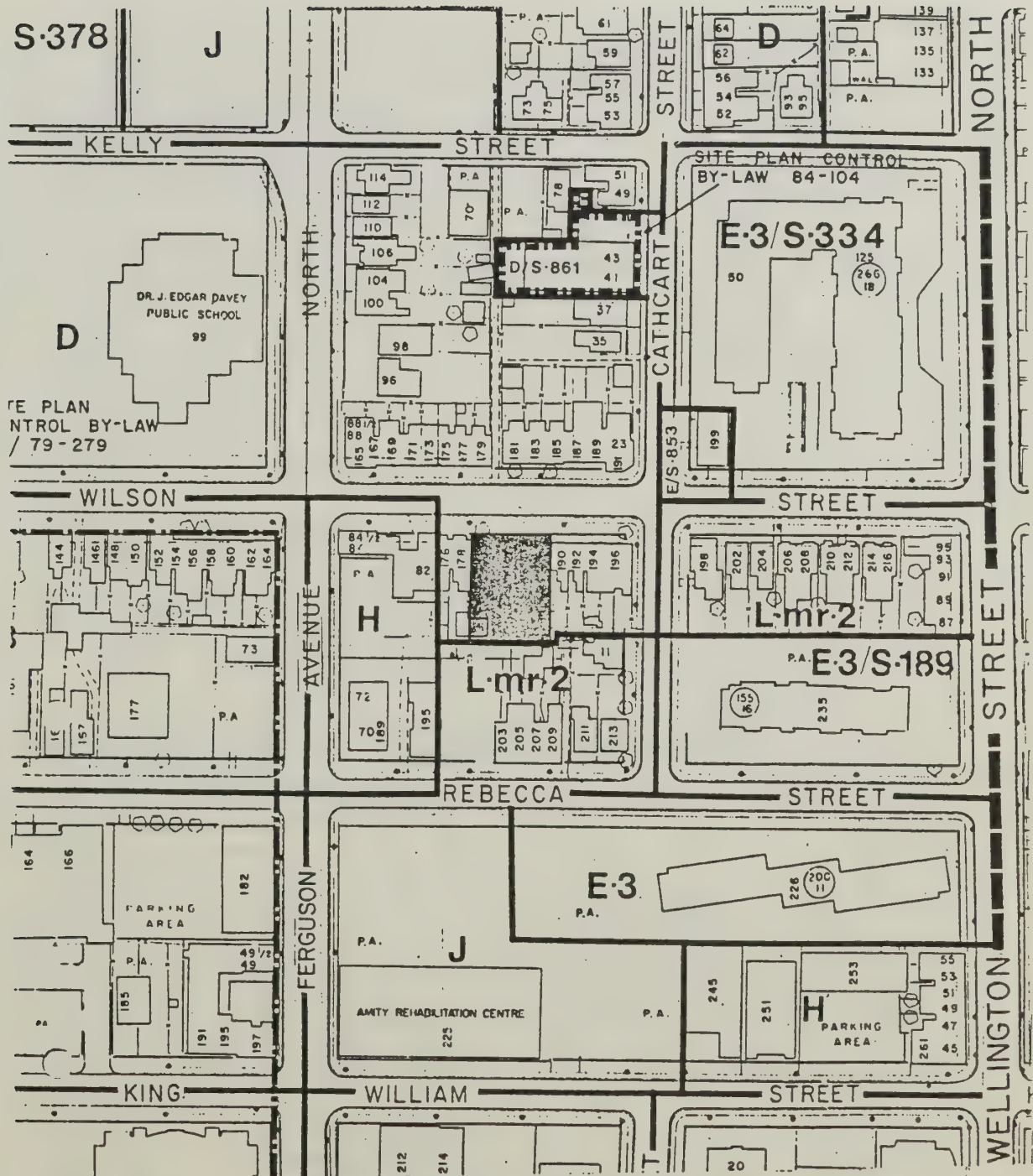


Site Of The Application

Appendix "D" as referred  
to in Section 15 of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee

1313



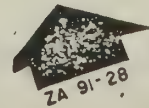


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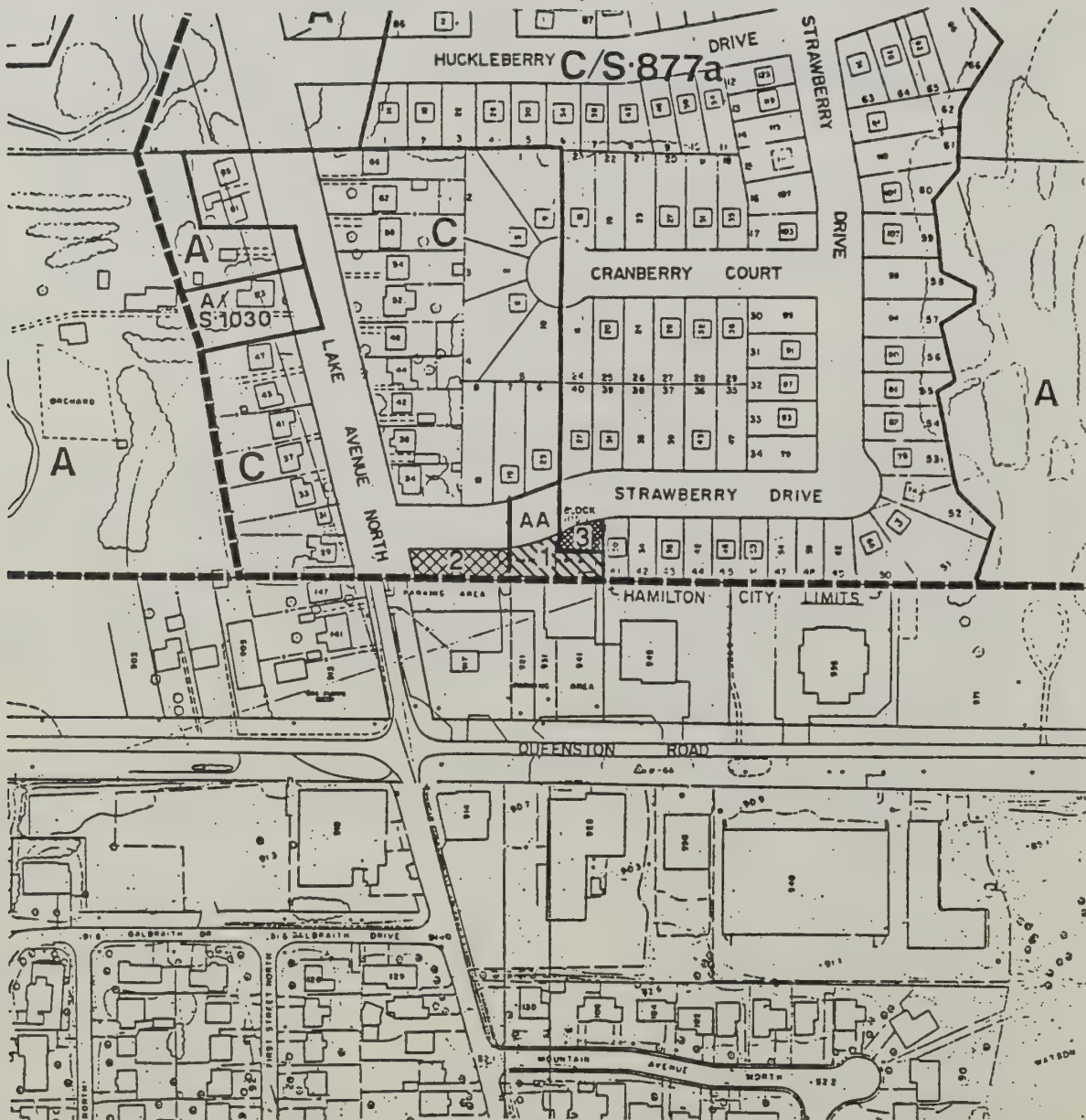


Site of the Application

Appendix "E" as referred to in Section 16 (a) of the THIRTEENTH Report for 1991 of the Planning and Development Committee






September 24, 1991



**Legend**

Proposed change in zoning from :

- |         |   |   |
|---------|---|---|
| BLOCK 1 |  | "AA" (Agricultural) District to "G-3" (Public Parking Lots) District.                               |
| BLOCK 2 |  | "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District.           |
| BLOCK 3 |  | "C" (Urban Protected Residential, etc.) District, modified to "G-3" (Public Parking Lots) District. |

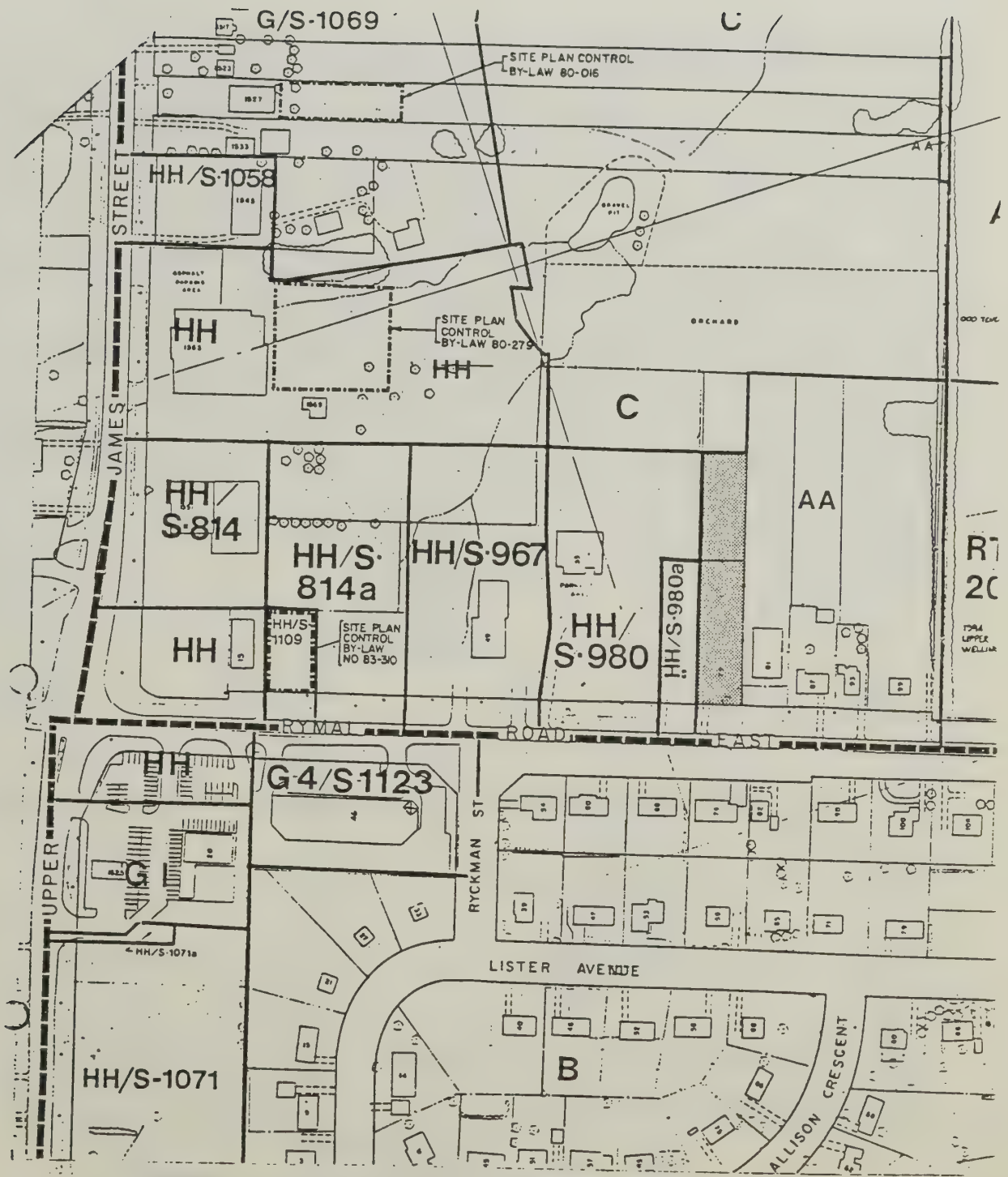
Appendix "F" as referred  
to in Section 17(B) of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee



1315



September 24, 1991



Site of the Application

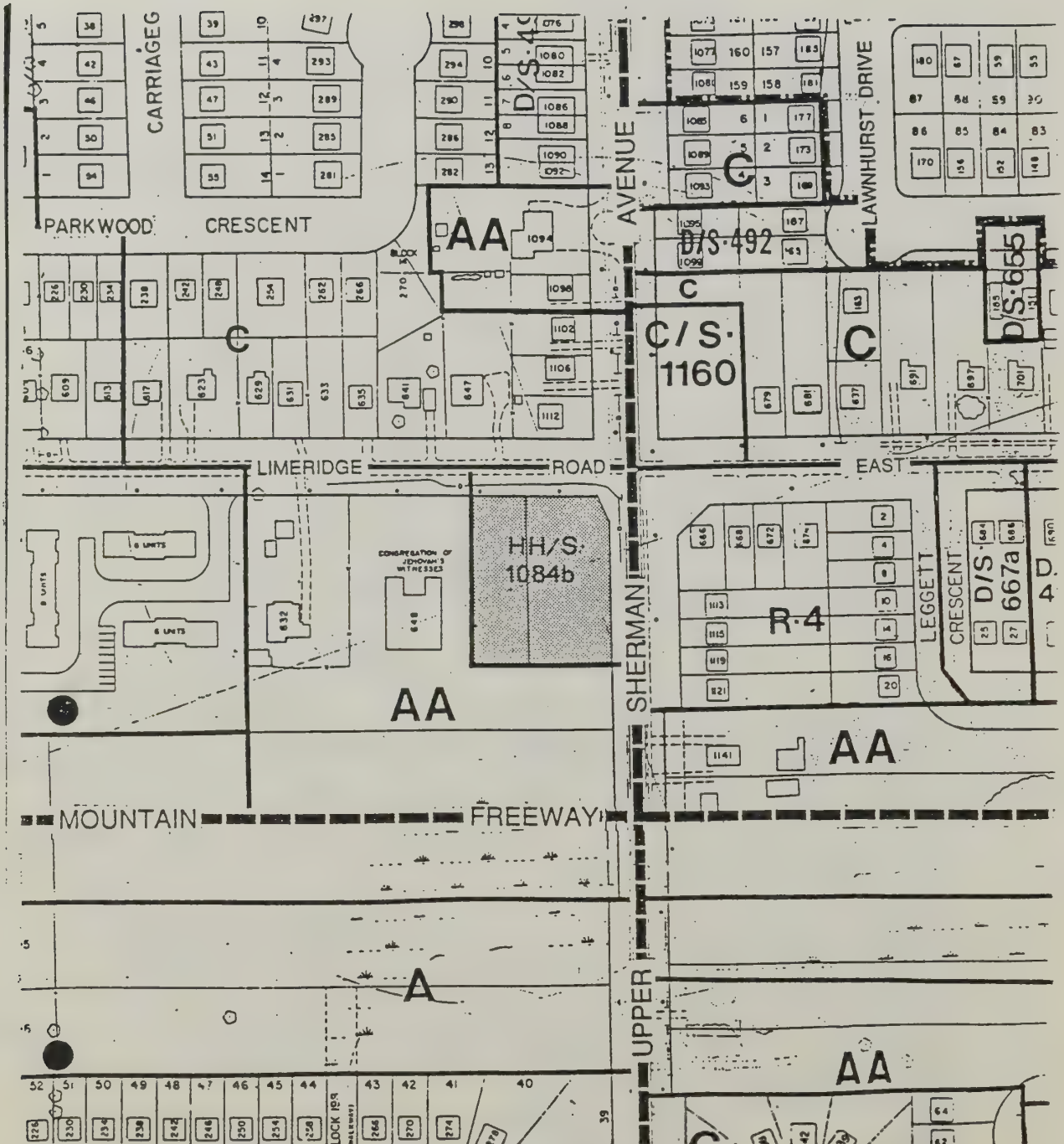
Appendix "G" as referred  
to in Section 18 of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee



1316

C 18

September 24, 1991



**Legend**



Site of the Application

Appendix "H" as referred  
to in Section 19 of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee



1317

**C 19**



Appendix "I" as referred  
to in Section 20 of the  
**THIRTEENTH** Report for 1991  
of the Planning and  
Development Committee  
1318





September 24, 1991

## **REPORT OF THE INFORMATION SYSTEMS COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Information Systems Committee presents its **FIFTH** Report for 1991 and respectfully recommends:

1. (a) That four computer network concentrators be acquired from Cabletron Systems of Mississauga at \$57,324.00 (\$14,331.00 each), the lowest of 8 proposals received.
- (b) That funds be provided from Account No. CH56605 26032 (Lease -Computer Equipment).

**Respectfully Submitted,**

**ALDERMAN J. GALLAGHER, CHAIRMAN  
INFORMATION SYSTEMS COMMITTEE**

**K. C. Christenson  
Secretary  
1991 September 6**

September 24, 1991

**REPORT OF THE  
SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON SCOURGE PROJECT**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Special Committee to Administer the Hamilton Scourge Project presents its **FIRST** Report for 1991 and respectively recommends:

- (1) That the Director of Culture and Recreation be authorized to initiate the application process with the Ontario Heritage Foundation officials to request approval for a license for a Hamilton/Scourge discovery and articles recovery dive in the second quarter of 1992.
- (2) That the Director of Culture and Recreation be authorized to invite Dr. Margaret Rule (Mary Rose) and Dr. Robert Ballard (Woods Hole Oceanographic Institute) to be the principal archaeologist and science officer for this undertaking.
- (3) That the Hamilton/Scourge Foundation be authorized to request sister status with the Mary Rose Trust of Portsmouth, England.
- (4) That the Hamilton/Scourge Project be restructured according to the Organizational Report Recommendation (appendix A).
- (5) That a Hamilton/Scourge Project "year-round" exhibit be established in concert with Dundurn Military Museum.
- (6) That the Hamilton Military Museum Curator act as Interim Curator for the exhibit.
- (7) That the Hamilton/Scourge Project Conservator be provided the support requirements to apply for a British Council conservation exchange for January - February 1992.

September 24, 1991

**RESPECTFULLY SUBMITTED,**

**ALDERMAN W. MCCULLOCH, CHAIRMAN,  
SPECIAL COMMITTEE TO ADMINISTER  
THE HAMILTON/SCOURGE PROJECT**

**S. Dembe, Secretary**  
1991, September 24



# HAMILTON-SCOURGE PROJECT

September 24, 1991

## DEVELOPMENTAL PLAN - JUNE 1991 TO 1996

### PREAMBLE

Following a year of reflection on the results of the Jason Project, the recent presentation by Woods Hole Engineers and discussions with Dr. Margaret Rule, significant direction can be proposed to more fully prepare the Hamilton-Scourge Project for what action will be necessary to move forward.

### BACKGROUND

Credibility and acceptance on a wide scale for the Hamilton-Scourge Project is a vital commodity for every developmental step.

The Jason Dive of 1990 faced heavy opposition and early criticism to a point where Provincial Licensing was in serious jeopardy.

This was only overcome by the empowerment of Dr. Margaret Rule, the determination of Dr. Robert Ballard and the confidence of The Ontario Heritage Foundation that the national historically significant site would be respected and protected every step of the way.

It is in continuation of that commitment that a willed future is being proposed. A willed future of this municipality requires renewed support from senior government(s).

The Jason Dive generated, "one trillion pieces of information every hour\*", in the two week campaign. This now exists in raw data, most in an unprocessed state and requiring definition to be useable to archaeologists and technicians.

Both Dr. Rule and Engineer Andy Bowen agree that immediate steps must be taken to produce a useable data base from the raw information at Woods Hole...(this data reduction is outlined under sequencing and implicates archaeologist, archivists and technicians).

For this future to be planned successfully a renewal of the Hamilton-Scourge infrastructure must be considered. It requires a senior consultation panel, steering team and administrative structure to accomplish intergovernment co-operation and resource accomplishment. (This organizational proposal is outlined under process structuring and implicates support from three levels of government).

\* Dr. Kenneth Stewart May 1991 - Woods Hole Oceanographic Institute

Both the Technical Feasibility Study and the Rule Report point towards undertakings in a sequence of events that cannot be given a time schedule until resources are clearly in place. More scientific information will be necessary on the specific areas of the site. Contrary to assertions of a "Pristine" Site, degradation is occurring and only its rate of decay remains unknown. Determining this rate is "unglamorous" but absolutely necessary. (This work requires both research and site examination with greater precision than previously obtained and outlined in sequencing and short term goals).

Finally, this background portion of the developmental plan for the Project would be incomplete without recognizing operational success between the partners for discovery. Implicit to progress for the City of Hamilton has been working closely with the provincial responsibilities for heritage protection and the authorities for licensing incursions at historical sites. In addition, the finest available "Hi-Tech" resources and equipment from Woods Hole; these proven commodities were supplemented in specific ways by the Canadian Centre for Inland Waters and Federal competencies.

In 1990, the final link with the Mary Rose Trust was vital, building upon such elements marked more accomplishments of both scientific and educational natures than had been ever previously experienced at any one site.

## THE DEVELOPMENTAL PLAN

The developmental plan projected here is progressively portrayed in sequences without total timelines. A more accurate schedule will become clear as a business plan and resources become accepted. The plan for the Hamilton-Scourge is based on three important competencies from which the sequencing can begin:

### 1. OPERATIONAL REVIEW

The infrastructure of committee and staff levels require modification to address a different intensity of activity. The Hamilton/Scourge can learn from combined models of the Mary Rose and other organizational examples which have gone before. Certainly, the sophistication of seventeen research staff, sixty Curatorial Assistants and a Management Team of eight, will not be necessary until the Project matures as Mary Rose has done.

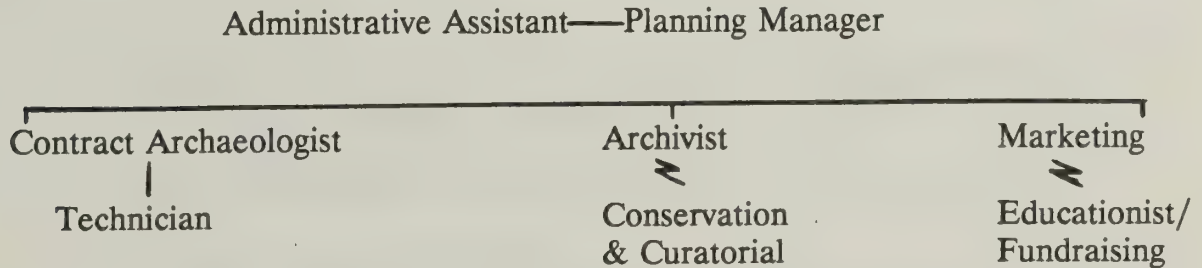
In fact, consolidation of existing resources to a focused purpose will be the first step on an employee level. Specifically, a Planning Manager requires a business (administrative) assistant to communicate and follow through with on-going administrative requirements between government agencies and private sector. Preparatory work on funding requires both staff and voluntary resources.

Conservation will be a future need but an Archivist is the forerunner. A Chief Archaeologist and Marketing personnel are part of a successful scenario.

This looks like the following....

**RANKING**

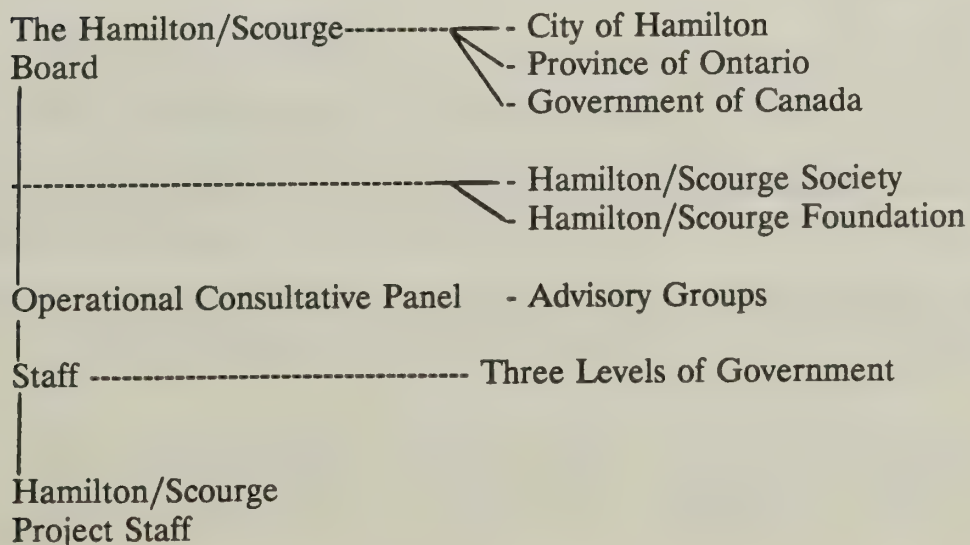
( ← Future Shift)



This is possible with the current resources. As sequencing progresses a future flow chart will grow as a schedule and goal line is achieved.

To provide the policy needs for the staff level, a liaison and committee system will be required. The Director of Culture and Recreation and the Planning Manager can focus carefully on a mandate driven process at the policy level.

This looks like the following....



Although at first look at this organizational structure may appear cumbersome, it can operate in a streamlined manner and provide for building of trust and competencies. This will be necessary in the steps ahead as all participants must understand their roles.



## 2. DATA BASE MANAGEMENT

The previous dives and the Jason Project have provided a raw data base. Simply this wealth of information must be processed to an accessible format which can be built upon.

Action steps to achieve this can be summed up by recommending a three day work session at Woods Hole for Archaeologist, Engineers and Technicians.

The details of the undertaking appear in the appendix prepared by A. Bowen, it requires:

- Prewrite And Format Compatibilities
- Disc System Integration
- Film Transfer Based On 1500 Slides
- E.S.C. Conversion To C.R.U. Disc System
- Archival System Integration
- Video Editing

The near/long term data base needs will be complacent with scientific and archaeological requirements.

## 3. BUSINESS PLAN

An operation updating and resource bank will require a sound business plan from which to focus. This business plan need not be complex but flow from an agreed mandate statement towards a desired set of goals and objectives. Roles and responsibilities should be clarified from policy level for staff delivery. In short, the mission should drive the operation and the goals should determine the resources.

A profile on a business plan needs to be completed and adopted by a policy renewal.

Following the agreement to organization, data base, integration and business plan, a sequencing of events can be adopted and reviewed on an annual basis.

### SEQUENCE OF EVENTS

- |    |   |                         |
|----|---|-------------------------|
| B1 | Developmental Plan  | - Organizational        |
| B2 | Review Of Technical Feasibility Study<br>And Assessing Of The New Needs |                         |
| B3 | Dr. Rule Report And Recommendations                                     |                         |
| B4 | Data Management Workshop  | - Target September 1991 |
| B5 | C.C.I.W. *Site Sampling & Monitoring                                    | - Target Fall 1991      |
| B6 | Sequencing Of Future Sweeps & Their Goals                               | - Target Winter 1991    |
|    | Seasonal Mooring, Debris Field & Silt Sampling                          | - Target 1992           |
| B7 | Determining Permanent Moorings  | - Target Winter 1991    |
|    | Rigging Action Samplings  | - Target 1993           |
| B8 | Resource Requirements** & Financials                                    |                         |

### CONCLUSIONS

As you will gather, this report does not suggest a radical departure from current practice but points towards a definition of roles and responsibilities. It recognizes the importance of the participants in 1990 and encourages the continuation with enhancements.

This report has been prepared with major input and compliance from Dr. Margaret Rule. Indeed the Mary Rose Trust partnership for the Hamilton/Scourge Project is being recommended.

\* Recommendation to include oxygen levels, phosphate, efficients, temperatures and surface monitoring.

\*\* Application for a British Council Grant for Archival Conservator.

The Hamilton/Scourge Project is at the 1973 stage when compared to The Mary Rose. The state of research and hi-tech equipment will escalate the timelines that Mary Rose followed and this can only be considered as a guide.

From current and past findings the Ships might well be at the 1700 stage of the Mary Rose. Thus some improved statement of the Ships integrity will be forthcoming. It is not completely accurate to call the state "pristine". New evidence points to re-evaluation of metal fatigue and structure deterioration which has occurred. The extent and implications will be an important level of sequences planning and time scheduling of what needs to be done with the Ships.

Both the Society and the Foundation will be major players in the years ahead. A principle patron should be considered if recovery is determined and a hierarchy of donors will be a necessity, fundraising should not be deterred. Deliberate high and lower bracket events should proceed. Dinners, premiers and gatherings should be escalated along with the current educational campaigns.

The need for a defined approach to development is being emphasized to consolidate long and short term planning. This is not to be a "wait and see" approach but action based. Clearly a proactive assertion towards the best "desirable" future will be the outcome.



September 24, 1991

## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTEENTH** Report for 1991 and respectfully recommends:

1. That a representative of the Licence Division be authorized to attend the Canadian Association of Taxicab Regulatory Administrators Conference to be held in Ottawa from 1991 September 26 to 28. **AMENDED AND CARRIED.**
2. That Civic Gold Pins be awarded to Kimberly Shea and Derek Lohnes for winning gold medals for the Province of Ontario in the National Junior Bowling Championships.
3. That Civic Silver Pins be awarded to Kim Beveridge and Elly Kowalczyk for winning the 1991 Ontario Age Group Championship in the Duet 10 and Under Category.
4.
  - (a) That permission be granted to the Hamilton Aids Network for Dialogue and Support (HANDS) to use the City Hall forecourt and related equipment to begin and end a 10 kilometre Walk-A-Thon on Sunday, 1991 October 6 from 12:30 p.m. until approximately 4:30 p.m.
  - (b) That permission be granted to the Hamilton Aids Network for Dialogue and support (HANDS) to use the City Hall forecourt and related equipment for a Campaign Kick Off on Friday, 1991 October 4 from 12:00 noon until 1:00 p.m.
5. That approval be given to the action of the City Clerk in authorizing the use of the City Hall forecourt and related equipment on Thursday, 1991 September 12 from 12:00 noon until 2:00 p.m. for a United Way Barbecue.

6. That permission be granted to the Royal Canadian Legion Hamilton Branch to distribute Remembrance Poppies in the City of Hamilton during the Annual Poppy Drive from 1991 November 1 to 11.
7. That approval be given to the action taken by the City Clerk in authorizing the use of City Hall meeting room 219 on Monday, 1991 September 16 from 7:00 p.m. to 9:30 p.m. for a meeting of the Justice for Women Coalition.
8.
  - (a) That the Finance and Administration Committee recommend to City Council that the regular meeting of City Council scheduled for 1991 November 12 be cancelled because of Municipal Election Day.
  - (b) That, in adopting (a) above, consideration also be given to cancelling the regular meetings of the Standing Committees scheduled for the previous week of November 4th.
9. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation to 1991 September 6th, attached hereto as Appendix "A", be approved.
10. That the City Treasurer be authorized to allocate \$40,850. from the 1991 Capital Levy to construct an independent concrete curb on the north side of Leaside Road between Brighton Avenue and Dunn Avenue under The Local Improvement Act, at an estimated cost of \$40,850. being the City's share.
11.
  - (a) That the Commissioner of Human Resources be authorized and directed to take the necessary steps to post and advertise the position of City Treasurer consistent with the Selection Procedure adopted by City Council on January 26, 1982.
  - (b) That Mr. J. J. Schatz, be appointed City Clerk, effective January 1, 1992 within the Salary Schedule D for a period of five (5) years and that the Commissioner of Human Resources be directed and authorized to negotiate the terms of the employment contract.
  - (c) That the Commissioner of Human Resources be directed not to fill the position of Deputy City Clerk pending further review.



- (d) That the newly installed Finance and Administration Committee be directed to deal with the position of Chief Administrative Officer as the first order of business in the new term of Council.
- 12. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 19598/90 by the payment to the Plaintiff, Ona Adomaskas, of \$7,002.50 inclusive of all damages, interest and costs.
- (b) That the Plaintiff, Ona Adomaskas, be required to provide the City of Hamilton with a Full and Final Release in a form satisfactory to the Law Department.
- (c) That Ontario Court (General Division) Action No. 19598/90 be dismissed without costs.
- 13. (a) That Mr. Jim Hindson's contract as Director of Information Services be renewed for a five-year period commencing September 28, 1991, under the terms and conditions as set out in the employment contract.
- (b) That this report be forwarded to the Regional Municipality of Hamilton-Wentworth's Finance and Personnel Committee for information.
- 14. That a lease contract be entered into between the City of Hamilton and the Hamilton Press Club as follows:
  - (a) That a 5% increase per year or the rate of inflation, whichever is higher, be charged, to be based on the current rent being paid,
  - (b) That the lease be for a period of three years commencing March 16, 1991 and terminating on March 15, 1994 with a one year opting out clause for either party,
  - (c) That the current 5% payment of bar sales be maintained.
  - (d) That the Mayor and City Clerk be authorized to execute a lease document satisfactory to the City Solicitor.

**REFERRED BACK.**

Section 14 referred back with instruction:



That the Director of Property, City Treasurer and City Solicitor prepare full and complete written reports to be made available to all members of City Council and that all members of City Council be notified of the date, time and place of the meeting.

**CARRIED.**

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Murray. -10.

**NAYS:** Aldermen Agro, McCulloch, Hinkley, Agostino, Ross. - 5.

**CARRIED.**

15. (a) That an Option to Purchase executed by the representatives of Paul Sherlock Homes Inc., In Trust, on September 12, 1991 and scheduled for closing on or before November 29, 1991, for the purchase of part of Lot 77, Registered Plan 1431, shown as Parts 2, 3, and 4 on Reference Plan 62R-808 and part of Lot 78, Registered Plan 1431, shown in heavy outline on the attached plan, be approved and completed. The said lands comprise 17,466 square feet (1,622.71 square metres), more or less, with frontage along the east side of Catharine Street South of 95.67 feet, more or less, and the north side of Hunter Street East of 76.48 feet, more or less. The purchase price of \$938,000. subject to adjustments pursuant to Schedule "B" of the Agreement be charged to Account Number CH 5X323 00202 (Reserve for Off Street Parking).
- (b) That the final purchase price be calculated by applying a rate of \$53.70 for each square foot of land purchased as defined by the aforementioned registered Reference Plan. This may result in an upward or downward adjustment to the approximate purchase price stated on the face page of this Option.
- (d) That the Mayor, City Clerk and Commissioner of Finance be authorized to execute the necessary documents.
16. (a) That the Draft By-law to license and regulate the keepers of tobacco shops be circulated to the industry for comment.

- (b) That a Public Meeting of the Finance and Administration Committee be scheduled on October 10, 1991 to consider submissions from the public respecting the Draft By-law.
  - (c) That a large advertisement be placed in The Spectator and Brabant Newspapers.
- 17.
- (a) That staff be authorized to dismantle the floral clock located on the City Hall forecourt and to reinstate a floral clock at T. B. McQuesten Park in concert with the development master plan for the park and the interests of Hamilton Follies Incorporated.
  - (b) That staff be authorized to remove the dying fir tree from the City Hall forecourt and to consult with the Zonta Club of Hamilton regarding the location and type of a replacement tree.
  - (c) That the Directors of the Property, Culture and Recreation and Public Works Departments be authorized to jointly undertake a Grounds Feasibility Study for City Hall.
- 18.
- (a) That an amendment to by-law No. 79-323 being a by-law to licence and regulate Tow Truck Owners and Drivers be enacted by City Council.
  - (b) That the By-law come into force on January 1, 1992.
  - (c) That the Police Services Board be advised that the City of Hamilton supports the concept of a rotational system for the towing of vehicles involved in accidents and which do not require to be secured.
19. That City Council request the Provincial Government to review its policy which requires that lottery monies or goods purchased with lottery monies must remain in the Province of Ontario.
20. That City Council be requested to ask the Regional Transportation Services Committee to consider expanding the Hamilton Street Railway Student Bus Pass Programme to enable English as a Second Language students to qualify for such passes.



21. (a) That the City of Hamilton renew the lease at 50 Jackson Street West with the Hamilton Municipal Employees' Credit Union Limited for a period of five (5) years commencing November 2, 1991 and terminating on November 1, 1996.

(b) That the Mayor and City Clerk be authorized to execute a lease document satisfactory to the City Solicitor.

(c) That rent be established on the following basis:

Rent payment be adjusted and commence on the second day of November 1991 at a rental of \$6,666.66 per month or \$80,000. per year inclusive of realty taxes which are \$19,254. for 1991.

In addition to rent paid by the Hamilton Municipal Employees' Credit Union Limited, they are also responsible for their share of the operating costs over the base year 1991.

All amounts payable shall be deemed to be additional rent.

**REFERRED BACK.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0.

**CARRIED.**

22. That the previously tabled 1991 General Grant to Hamilton Artists Inc. with a recommended grant amount of \$9,000. be approved and funded within the Grants Budget, specifically Account CH 5A018 20004.



23. (a) That the 1992 Grants and Convention/Reception Grant applications and policy remain unchanged at this time and be made available as outlined in the policy.
- (b) That the deadline for the 1992 General Grants be December 31, 1991 and appropriately advertised as such.
- (c) That the Grants Review Group review the 1992 Grants process early in 1992 to determine what revisions would be required to address changes in the grant process for submission to the Finance and Administration Committee.
24. (a) That Lottery Licence By-law 78-130, as amended, be further amended to eliminate the following provisions:
- (i) Section 21 which requires each bingo lottery licensee to carry on a minimum of 24 and a maximum of 26 bingo lottery events in a calendar year.
- (ii) Section 22 (2) where total prizes for an occasion is between \$1,500.00 and \$3,500.00, a bingo lottery licence may be issued only every two weeks.
- (iii) Section 1 (3) which requires every occasion of a bingo lottery to be carried on only the following time periods: 8:00 a.m. - 12:00 noon; 12:00 noon - 6:00 p.m.; 6:00 p.m. - 10:00 p.m.; 10:30 p.m. - 1:00 a.m.
- (vi) All references to limiting the number of bingo lotteries.
- (v) All antiquated provisions which are no longer relevant to the management and conduct of bingo.
- (b) (i) That By-law 78-130 be further amended to include a provision of one-half hour between bingo events.
- (ii) That the City of Hamilton Licensing Committee give written notice to all bingo charities that a one-month written notice to the Bingo Hall be required for a change in hall location.

- (iii) That the City of Hamilton Licensing Committee give written notice to Bingo Hall Owners that one month's written notice to a bingo sponsor be given should a Hall Owner wish to cancel a bingo lottery event. Such notice must include reasons for cancellation.
  - (vi) That reference be made to the Provincial Terms and Conditions in lieu of the antiquated provisions which are to be removed.
  - (v) That Lottery Licence By-law 78-130 be consolidated.
  - (c) That the Licence Division be asked to review Section 32, Sub. Sec. 3, of By-law 78-130 pertaining to "not less than 20% of the total receipts (for each bingo lottery) shall be paid to the charitable organization to whom the licence was issued" with a view to complying with the Provincial Law.
  - (d) That the City Solicitor be directed to prepare the appropriate By-law.
25. (a) That the City Solicitor be directed to prepare amendments to By-law 84-235 being a by-law to regulate Premises Providing Adult Magazines, in order to provide for the sale of all adult materials in separate areas with restricted access to adults only, or that all adult materials be kept from public view only to be provided upon request, and  
**AMENDED AS CARRIED.**
- (b) That the public be invited to make written and verbal representations to the Finance and Administration Committee.
26. That no professional teams receive City of Hamilton Rings as Civic Awards.
27. That approval be given to authorize the use of the City Hall forecourt on Monday, October 7th, 1991 from 1:00 p.m. to 2:00 p.m. by the Labourer's International Union of North America Local 837.
28. (a) That the City of Hamilton convey its support for the Pitch-in-Week Program and encourages the Ministry of the Environment to continue funding for this program at the \$75,000. level; and

- (b) that the Honourable Bob Rae, Premier and the Honourable Ruth Grier, Minister of the Environment be notified of the City's support.
29. (a) That the City of Hamilton purchase two (2) tables of ten (10) people each for attendance at the dinner being held in honour of Lincoln and Yvonne Alexander on October 3, 1991
- (b) That the cost being \$1,300. be charged to Account No. 552992-4214.
30. (a) That the City proceed with their request for private legislation regarding smoke alarms and lighting; and
- (b) That the City proceeds with subsequent steps to implement the private legislation.
31. That a By-law respecting Smoking in Public Places be enacted by City Council.
32. That leave be granted to introduce the following Bills:
- (a) **Bill H-41** A By-law to Amend By-law No. 79-323 being a By-law to Licence and Regulate Tow Truck Owners and Drivers.
- (b) **Bill H-42** A By-law to Amend By-law No. 80-258, Respecting Smoking in Public Places.  
**AS AMENDED** (see pages 1276 - 1278)
- (c) **Bill H-43** A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN B. HINKLEY, CHAIRMAN  
FINANCE AND ADMINISTRATION  
COMMITTEE**

Tina Agnello, Acting Secretary  
1991 September 19



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Charles Gibbs	Foreman/Woman II (12-C)	Public Works	Replacing Mr. R. Farthing - promoted	\$34,232.64 to \$40,881.36	15/07/91
Ms. Elizabeth Isajiw	Solicitor (H)	Law	Replacing Ms. S. Gabruss - terminated	\$55,605.68 to \$65,539.24	12/08/91
Mr. Anthony Mancini	Foreman/Woman II (12-C)	Public Works	Replacing Mr. R. Wells - retired	\$34,232.64 to \$40,881.36	01/07/91
Mr. Michael McGaw	Captain (C-8)	Fire	Additional Staff - Approved 1991 budget	\$55,339.83	28/07/91
Mr. Glen Peace	Platoon Chief (C-12)	Fire	Replacing Mr. G. Smith - promoted	\$65,210.46	11/08/91
Mr. Art Zuidema	Solicitor (K)	Law	Replacing Mr. K. Thompson - resigned	\$45,154.72 to \$53,153.36	12/08/91

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Arie den Otter	Fleet Superintendent	Public Works	Retired	26 years, 9 months	30/08/91
Mr. Thomas Durney	Sign Painter	Traffic	Deceased	11 years, 3 month	17/08/91
Mr. Mark Franco	Supervisor of Cashiers	Treasury	Resigned	2 years, 9 months	12/08/91
Mr. Bob Murphy	Supervisor Traffic Study	Traffic	Retired	32 years, 3 months	30/08/91
Mr. John Oliver	Operator Central Utilities	Property	Resigned	1 year, 1 month	16/08/91

Prepared 06/09/91





1991

## CORPORATION OF THE CITY OF HAMILTON

## MEMORANDUM

\*\*\*\*\*

TO: Mr. L. Sage, C.A.O.  
Department Heads  
Legislative Assistants

YOUR FILE:

FROM: Mr. K. E. Avery  
City Clerk  
City Clerk's Department

OUR FILE:

PHONE: 546-4587

SUBJECT: CITY COUNCIL MEETING  
SEPTEMBER 24th, 1991

DATE: September 27th, 1991

Attached for your information and appropriate action is a copy of the minutes of the meeting of City Council held September 24th, 1991.

Please undertake to carry out the directions of City Council.

att.



URBAN MUNICIPAL  
GOVERNMENT DOCUMENTS



Hamilton City Council  
September 24, 1991  
7:30 o'clock p.m.  
Council Chamber, City Hall

The Council met:

Present: Mayor R. M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson,  
Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross.

Mayor Morrow called the meeting to order.

\* \* \* \* \*

Father Eneric Fuzy, St. Cyril and Methodius Slovak Roman Catholic Church led the Council  
in prayer.

\* \* \* \* \*

A Certificate of Appreciation was presented to Mayor Arthur Eggleton, City of Toronto for  
his outstanding service as the Mayor of the City of Toronto and for his efforts and his  
readiness always to work together with us, particularly his support for Hamilton hosting the  
1986 Federation of Canadian Municipalities Conference which had been awarded to  
Hamilton.

A Certificate of Appreciation was presented to the following employees of the Corporation  
of the City of Hamilton who have met 35 years of service: Charles Ellis, Fire Department,  
Sam Esposto, Public Works Department, Kenneth Kiernan, Fire Department and Leonard  
Lockwood, Public Works Department.

A Certificate of Recognition was presented to Enrico Henry Mancinelli on the occasion of  
his election as Vice-President of the Labourers' International Union of North America.

Civic Awards were presented to the Cardinal Newman Express Soccer Team who won the  
Ontario Federation of Secondary Schools Athletic Association gold on four occasions.

\* \* \* \* \*

Mayor Morrow introduced Chief Robert Middaugh, the newly appointed Chief to the  
Hamilton-Wentworth Regional Police Force to the Members of City Council.

\* \* \* \* \*



September 24, 1991

10. Application dated September 4, 1991 from 943937 Ontario Inc. (John L. LeCluse), Hamilton, Ontario for a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District for 1489, 1491, 1493, 1495 Upper James Street, Hamilton, Ontario.

**Received.**

11. Application dated September 18, 1991 from Peter Georgakopoulos, Hamilton, Ontario for a modification to the "M-12" (Prestige Industrial) District for 1050 Rymal Road East, Hamilton, Ontario.

**Received.**

12. Letter dated September 10, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-142 regarding property at 64 Ewen Road, Hamilton, Ontario.

**Received.**

13. Letter dated September 10, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-144 regarding property at 402 Upper Wentworth Street, Hamilton, Ontario (formerly Inverness Public School).

**Received.**

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman Hinkley that Rule No. 8 be invoked for this meeting of City Council to permit consideration of a motion respecting a vote concerning the Jamesville B.I.A. on October 9, 1991.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -16.

NAYS: -0.

**CARRIED.**

It was moved by Alderman Agro and seconded by Alderman Hinkley:

WHEREAS the merchants of Jamesville have taken up two petitions both expressing the abolition of the Jamesville B.I.A. and

WHEREAS the petitions are signed by a large majority of the Jamesville B.I.A. membership,

THEREFORE BE IT RESOLVED that a democratic vote be held on Wednesday, October 9, 1991 from 5:00 p.m. to 8:00 p.m. and that the vote be conducted by the City Clerk's Department in conjunction with the Community Development Department and that there be no submissions from either the proponents of the B.I.A. nor the opponents of the B.I.A. and that there be no politicking nor soliciting of votes by anyone near the polling station,

AND FURTHER that each side be allowed only one scrutinizer to check the votes with the City Clerk's Department, and

BE IT RESOLVED that the City Council abide by the wishes of the majority.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -16.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, Report of the Special Committee to Administer the Hamilton-Scourge Project and the Finance and Administration Committee, with Alderman Murray in the chair.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**TRANSPORT AND ENVIRONMENT COMMITTEE - THIRTEENTH REPORT**

Re: Section 13 - Two Hour Parking Time Limit - Glencarry Avenue

It was moved by Alderman Merling and seconded by Alderman Gallagher that Section 13, Subsection (a) ii of the Thirteenth Report of the Transport and Environment Committee for 1991 be amended by deleting the word "One" after the words "be replaced with a" in the fourth line and by inserting in its place the word "Two". **CARRIED.**

\* \* \* \* \*

**PARKS AND RECREATION COMMITTEE - SEVENTEENTH REPORT**

Section 1 Re: Permission to sell beer at Globe Park - Clancy's Five Baseball Team

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

\* \* \* \* \*

Section 6 Re: Contract - Chamberlain Architect Services Limited - Renovations to Huntington Park Recreation Centre/Renovations and Addition.

It was moved by Alderman Gallagher and seconded by Alderman Merling that section 6 of the Seventeenth Report of the Parks and Recreation Committee be referred back.

**Recorded vote.**

YEAS: Aldermen Kiss, Agro, McCulloch, Drury, Copps, Lombardo, Merling, Gallagher, Murray, Ross. - 10.

NAYS: Aldermen Cooke, Hinkley, Wilson, Agostino, Formosi, Jackson. -6. **CARRIED.**

\* \* \* \* \*



**PARKS AND RECREATION COMMITTEE - EIGHTEENTH REPORT**

\* \* \* \* \*

**PLANNING AND DEVELOPMENT COMMITTEE - THIRTEENTH REPORT**

\* \* \* \* \*

**INFORMATION SYSTEMS COMMITTEE - FIFTH REPORT**

\* \* \* \* \*

**REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON-SCOURGE PROJECT - FIRST REPORT**

\* \* \* \* \*

**FINANCE AND ADMINISTRATION COMMITTEE - SEVENTEENTH REPORT**

Section 1 Re: Canadian Association of Taxicab Regulatory Administrators Conference - Ottawa.

It was moved by Alderman Drury and seconded by Alderman Lombardo that Section 1 of the Seventeenth Report of the Finance and Administration Committee be amended by deleting the following words from the first line "Alderman D. Drury, Chairman, Taxi Advisory Committee, and". **CARRIED.**

\* \* \* \* \*

Section 14 Re: Lease - Hamilton Press Club - 50 Jackson Street West

Alderman D. Drury declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Drury is a member of the Hamilton Press Club.

It was moved by Alderman Kiss and seconded by Alderman Merling that section 14 of the Seventeenth Report of the Finance and Administration Committee be referred back with instruction that the Director of Property, City Treasurer and City Solicitor prepare full and complete written reports to be made available to all members of City Council and that all members of City Council be notified of the date, time and place of the meeting.

**Recorded vote.**

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Murray. -10.

**NAYS:** Aldermen Agro, McCulloch, Hinkley, Agostino, Ross. - 5.

**CARRIED.**

\* \* \* \* \*

**Section 21 Re: Lease - Hamilton Municipal Employees' Credit Union - 50 Jackson St. W.**

It was moved by Alderman Copps and seconded by Alderman Lombardo that Section 21 of the Seventeenth Report of the Finance and Administration Committee be referred back.

**YEAS:** Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

**NAYS:** -0.

**CARRIED.**

\* \* \* \* \*

**Section 25 Re: By-law 84-235: By-law to regulate Premises Providing Adult Magazines etc.**

It was moved by Alderman Gallagher and seconded by Alderman Murray that Section 25 of the Seventeenth Report of the Finance and Administration Committee for 1991 be amended by deleting Sub-section (a) in its entirety and replacing it with the following Sub-section (a):

"That the City Solicitor be directed to prepare amendments to By-law 84-235 being a by-law to regulate Premises Providing Adult Magazines, in order to provide for the sale of all adult materials in separate areas with restricted access to adults only, or that all adult materials be kept from public view only to be provided upon request, and"

**CARRIED.**

\* \* \* \* \*

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Section 32(b) Introduction of Bill H-42. - By-law Respecting Smoking in Public Places.

Alderman T. Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson owns and operates a coffee shop.

\* \* \* \* \*

It was moved by Alderman Kiss and seconded by Alderman McCulloch that Alderman T. Cooke be appointed Acting Mayor for the month of October, 1991. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, Report of the Special Committee to Administer the Hamilton-Scourge Project, the Finance and Administration Committee and resolutions, be adopted.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -15.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

**NOTICE OF MOTION FROM PREVIOUS MEETING**

It was moved by Alderman Murray and seconded by Alderman Merling

"that City Council petition the Government of Canada to reinstate capital punishment for pre-meditated murder."

Alderman Ross moved that the question be put, following which debate ensued.



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Recorded vote on putting the question.

YEAS: Aldermen McCulloch, Jackson, Merling, Ross. -4.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Gallagher. -11. **LOST.**

Recorded vote on Motion by Alderman Murray.

YEAS: Aldermen McCulloch, Drury, Copps, Formosi, Jackson, Merling, Gallagher, Murray, Ross. - 9.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Hinkley, Wilson, Agostino, Lombardo. -7. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-58, A-59, A-60, A-61, A-62, A-63.

C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73.

H-41, H-42, H-43.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

September 24, 1991

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Murray in the chair. (second reading).

A-58, A-59, A-60, A-61, A-62, A-63.

C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73.

H-41, H-42, H-43.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

**Consideration of the Bills (second reading).**

Bill H-42 Section 3 Re: Hairdressing parlours, barbershops, etc.

**Recorded vote.**

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo. -9.

NAYS: Mayor Morrow, Aldermen Drury, Formosi, Merling, Gallagher, Murray, Ross. -7.

**CARRIED.**

\* \* \* \* \*

Bill H- 42 Section 9 Re: Restaurants.

It was moved by Alderman Ross and seconded by Alderman Gallagher

That Section 9, Sub-section 2 of Bill H-42 as referred to in Section 32, Subsection (b) of the Seventeenth Report of the Finance and Administration Committee for 1991 be amended by deleting Section 9, Subsection 2 in its entirety and replacing it with the following:

- "(2) (a) Subject to the Fire Marshals Act, the proprietor of a restaurant having 45 seats or more for customer seating may designate not more than 50% of the eating area for the purpose of smoking.
- (b) Subject to the Fire Marshals Act, the proprietor of a restaurant having 44 seats or fewer for customer seating may designate not more than 70% of the eating area for the purpose of smoking."

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Drury, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. - 8.

NAYS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino. - 8.  
**LOST.**

\* \* \* \* \*

Bill H-42 Section 10 Re: Bars, Lounges and Taverns

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino. - 8.

NAYS: Mayor Morrow, Aldermen Drury, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. - 8.  
**LOST.**

\* \* \* \* \*



September 24, 1991

Recorded vote on Bill H-42 (All sections except 3 and 10)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Ross. - 12.

NAYS: Aldermen Formosi, Merling, Gallagher, Murray. - 4. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-58, A-59, A-60, A-61, A-62, A-63.

C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73.

H-41, H-42 (as amended), H-43.

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -15.

NAYS: -0. **CARRIED.**

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-58, A-59, A-60, A-61, A-62, A-63.

C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73.

H-41, H-42 (as amended), H-43.

September 24, 1991

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -15.

NAYS: -0.

**CARRIED.**

\* \* \* \* \*

City Council then adjourned at 10:10 o'clock p.m.

\* \* \* \* \*

## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **THIRTEENTH** Report for 1991 and respectfully recommends:

1. (a) i. That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of The Registry Act, R.S.O. 1980, for an order to stop-up and close a portion of the unassumed alleyway at the rear of Number 34 Thorndale Avenue;
- ii. That the Commissioner of Transportation/Environmental Services be directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed;
- iii. That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court;
- iv. That the applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor;
- v. That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act;



- vi. That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners;
- vii. That the applicant provide an easement to Bell Canada for a pole line within the limits of the closure;

(b) Provided the Judge's Order to close the highway is granted:

- i. That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law for the sale of the closed highway to the abutting owner(s);
  - ii. That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1980, of the City's intention to pass the by-law.
- 2. That City Council enact the appropriate By-law to authorize the construction of local improvements of concrete sidewalk on the east side of Centennial Parkway between Hamilton/Stoney Creek City limits and Vineyard Road.
  - 3. That City Council enact the appropriate By-law to authorize the construction of local improvements of concrete sidewalks on south side of Limeridge Road between Upper Sherman and Hydro Right-of-Way.
  - 4. That upon receiving the final approval from the Ministry of Environment, the Real Estate Division of the Property Department be authorized to sell the twenty-four (24) building lots in the City's Wheten Court Plan of Subdivision on Mohawk Road East by the Public Tender Process.
  - 5. (a) That an Agreement to Accept Compensation executed by Anthony DiSilvestro, President of 800064 Ontario Inc. on August 8, 1991 and scheduled for closing on or before October 21, 1991, be approved and completed. This property which is required for the establishment of a roadway in Falkirk East Neighbourhood (Rymal Estates Subdivision) has a frontage along the northerly limit of Rymal Road West of 20.117 metres (66 feet) more or less, containing 5,620.5 square metres (1.388 acres) shown as Parts 1 and 2 on Expropriation Plan No. 440182 C.D. registered on December 18, 1987. The purchase price of \$23,346.75 (including \$745.75 tax adjustment), be charged to Account Number CH5X323 00107 (Reserve-City's Share of Services Through Unsubdivided Lands);

- (b) That on closing of this transaction, the former owner agrees to pay to the City the sum of \$3,000.00 to reimburse the City for a portion of the costs in carrying out this expropriation. This amount be credited to Account Number CH59050 30001 (Outside Recoveries);
- (c) That prior to the payment of final compensation, the City shall receive:
  - i. from Kee-Salvalaggio Limited a Direction to make payments herein to 800064 Ontario Inc. and both from 800064 Ontario Inc. and from Kee-Salvalaggio Limited, a Deed together with a Full and Final Release, all executed under their respective corporate seals;
  - ii. the City's original Offer of Compensation cheque (with tax adjustments) of \$45,945.75, or this amount shall be returned to the City, as the final settlement herein agreed to is for the total sum of \$22,601.00, (plus the said tax re-adjustment of \$745.75).
- 6. That Regional Council be requested to introduce a comprehensive advertising campaign to promote the mulching and/or composting of grass as opposed to the gathering and bagging of grass clippings, thereby reducing the tonnage of garbage being picked up along with the household garbage, then being hauled to SWARU and/or the landfill site.
- 7. (a) That the Transport and Environment Committee recommend to City Council that the construction of an independent concrete curb on the north side of Leaside Road between Brighton Avenue and Dunn Avenue be proceeded with as a Local Improvement pursuant to Section 12 of the Local Improvement Act, at an estimated gross cost of forty thousand, eight hundred and fifty dollars (\$40,850.), as provided in the 1991 portion of the 1991-1995 Capital Budget with a City share of forty thousand, eight hundred and fifty dollars (\$40,850), and;
- (b) That the Finance and Administration Committee be requested to recommend a source of funds for this Capital Project, and;
- (c) That the Director of Public Works be authorized to construct these works once all the necessary approvals have been received.

8. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing:

The application of D. Baird agent, for the Westdale Business Improvement Association (944 King Street West, Hamilton), to temporarily close the south parking lane on the King Street West road allowance between Paisley Avenue and Marion Avenue, from 10:00 a.m. Friday, September 13, 1991 to 12:00 midnight Saturday, September 14, 1991, and King Street West, between Newton Avenue and South Oval from 8:00 a.m. to 12:00 midnight on Saturday, September 14, 1991, subject to the following conditions:

- (a) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
- (b) That advance temporary road closure signs be installed one week in advance by the City of Hamilton, Traffic Department, on the affected roadways and at the expense of the organizing group;
- (c) That the applicant ensure the clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City;
- (d) That the applicant provide proof of \$2,000,000 public liability insurance naming the City as an added insured party with a provision for cross liability, and holding the City harmless from all actions, causes of action, interests, claims demands, costs, damages, expenses and loss;
- (e) That the applicant reimburse the Regional Police, Transportation/Environmental Services, City of Hamilton, Traffic Department and any other agency for any actual costs incurred by these agencies as a result of this event;
- (f) That no property owner or resident within the barricaded area be denied access to their property upon request;



- (g) That all property owners and tenants along the closed portion of the route be notified of the festival by the applicant at least two weeks prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
9. (a) That Section 11 of the Transport and Environment Committee Report, 12-90, adopted by City Council on 1990, September 25 which refers to the approval of the engineering schedules for "EASTGATE HEIGHTS EXTENSION, HAMILTON", be deleted and,
- (b) That the following submitted schedules, be adopted for inclusion in the Subdivision Agreement with the Owners, for the estimated cost of services in:

"EASTGATE HEIGHTS EXTENSION", HAMILTON

City's Share - NIL - Subdivider's Share - \$46,595.71

Note: Schedules revised to include 7% G.S.T. on inspection fees.

"QUEENSTON HEIGHTS"

City's Share - NIL - Subdivider's Share - \$177,088.00

- (c) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements between the City and the respective owners;
- (d) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Plans and subdivision agreements have been registered;
- (e) That in the event any Subdivider wishes to proceed prior to the registration of the Final Survey Plan, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing.

10. (a) That the following City lands be incorporated into the various streets as noted below:

Queen Victoria Drive Part 11, Plan 62R-6257, and  
Block "AX", Plan M-192

Glen Forest Drive Block "A", Registered Plan 1421, and  
Block "F", Plan M-62

- (b) That the appropriate By-Laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council;
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
11. (a) That the proposed roadway improvements on Centennial Parkway and Arrowsmith Road and the intersection realignment of Centennial Parkway and Arrowsmith Road, including the installation of traffic signals at this intersection required as a result of construction of a proposed commercial plaza on the east side of Centennial Parkway at Arrowsmith Road, be advertised in accordance with Section 301 of the Municipal Act;
- (b) That Hamilton Home and Design Centre Incorporated be advised of this action.
12. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Rondar Inc. carrying out the proposed PCB destruction for National Slag Limited at 139 Windermere Road in Hamilton provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional By-Laws are complied with fully;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the MOE be waived so that the proposed work can be carried out as scheduled;
- (c) That no specific permits are required for the proposed work.

13. That City Traffic By-Law 89-72 be amended as follows:

(a) i. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of Glencarry Avenue which commences at a point 114 feet north of King Street and extends to a point 61 feet northerly therefrom, be replaced with a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation; and

ii. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the west side of Glencarry Avenue which commences at a point 124 feet north of King Street and extends to a point 51 feet northerly therefrom, be replaced with a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation.

AMENDED AND CARRIED.

(b) That an "Alternate Side Parking" regulation be implemented on Norfolk Street North between Main Street and Sanders Boulevard such that parking is prohibited:

- on the west side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and

- on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November.

(c) That a "Two Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the north side of Crockett Street between East 34th Street and East 35th Street and on the south side of the street between East 35th Street and a point 118 feet westerly therefrom.

(d) i. That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on both sides of Milton Avenue from Barton Street to Myler Street be replaced by a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation; and



- ii. That the existing "No Parking" regulation on the east side of Milton Avenue commencing at a point 369 feet north of Barton Street and extending to a point 51 feet northerly therefrom, be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m, Monday to Saturday" regulation; and
  - iii. That the existing "No Parking" regulation on the east side of Milton Avenue commencing at a point 104 feet north of Barton Street and extending to a point 93 feet northerly therefrom, be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation.
- (e) That a "One Hour Parking Time Limit, 8:00 a.m. to 9:00 p.m., Monday to Friday" regulation be implemented on both sides of Delmar Drive commencing at a point 597 feet east of Columbia Drive and extending to a point 490 feet easterly therefrom.
- (f) That a "No Stopping" regulation be implemented on the west side of Hess Street North, commencing at point 74 feet south of Peter Street and extending to a point 116 feet southerly therefrom.
- (g) i. That a "Permit Parking" regulation be implemented on the south side of Picton Street East between John Street North and Catharine Street North; and
- ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to each of the first ten eligible applicants residing on Picton Street East between John Street North and Catharine Street North.
- (h) That the By-law authorizing the installation of parking meters on the north side of King William Street between John Street North and Catharine Street North be rescinded.
- (i) That the existing "No Parking" regulation on the south side of Luscombe Street which commences at Upper Wellington Street and extends to a point 75 feet westerly therefrom be extended, such that the regulation commences at Upper Wellington Street and extends to a point 125 feet westerly therefrom.

- (j) That parking be prohibited on the east side of Southwood Drive between Fennell Avenue and the north curb line of Morningside Drive.
- (k) i. That a "No Stopping" regulation be implemented on the east side of West Avenue South commencing at King Street East and extending to a point 96 feet southerly therefrom; and
  - ii. That a "No Parking" regulation be implemented on the west side of West Avenue South commencing at King Street East and extending to a point 115 feet southerly therefrom.
- (l) That the existing "No Parking" regulation on the south side of Maplewood Avenue which commences at Sherman Avenue South and extends to a point 50 feet easterly therefrom, be extended such that the regulation commences at Sherman Avenue South and extends to a point 127 feet easterly therefrom.
- (m) That a "No Parking" regulation be implemented on the west side of Lottridge Street commencing at a point 110 feet north of Clinton Street and extending to a point 105 feet northerly therefrom.
- (n) That "Permit Parking" signs not be erected on the west side of Railway Street between Cannon Street West and the northerly end.
- (o) That the existing "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on the south side of Napier Street between Pearl Street and Wellesley Street, be shortened such that the regulation commences at Wellesley Street and extends to a point 36 feet easterly therefrom.
- (p) That the existing "Permit Parking" regulation on the south side of Burton Street which commences 91 feet east of Emerald Street North and extends to a point 22 feet easterly therefrom be removed.
- (q) i. That, in conjunction with the existing "Alternate Side Parking" regulation, a "Permit Parking" regulation be implemented on:
  - the north side of Holmes Avenue, commencing 107 feet west of Emerson Street and extending to a point 47 feet westerly therefrom; and

- the south side of Holmes Avenue, commencing at a point 69 feet west of Emerson Street and extending to a point 20 feet westerly therefrom; and
  - the south side of Holmes Avenue, commencing at a point 115 feet west of Emerson Street and extending to a point 29 feet westerly therefrom; and
- ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mrs. Mitchell, No. 10 Holmes Avenue and one parking permit to Mr. Sparks, No. 14 Holmes Avenue.
- (r) i. That, in conjunction with the existing "Alternate Side Parking" regulation, a "Permit Parking" regulation be implemented on the north side of Campbell Avenue commencing at a point 42 feet east of Agnes Street and extending to a point 20 feet easterly therefrom, and on the south side of Campbell Avenue commencing at a point 10 feet east of the east curb line of Agnes Street and extending to a point 24 feet easterly therefrom; and
- ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Marcia Stanton, 185 Campbell Avenue.
- (s) i. That a "Permit Parking" regulation be implemented on the north side of Shaw Street commencing at a point 282 feet west of Emerald Street North and extending to a point 20 feet westerly therefrom; and
- ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mr. James A. Decker, 35 Shaw Street.
- (t) i. That a "Permit Parking" regulation be implemented on the east side of Gibson Avenue commencing at a point 332 feet south of Barton Street East and extending to a point 22 feet southerly therefrom; and
- ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mr. N. De Vincentis, 158 Gibson Avenue.
- (u) That the existing "Permit Parking" regulation on the south side of Somerset Avenue commencing at a point 247 feet west of Barnesdale Avenue North and extending to a point 20 feet westerly therefrom, be relocated such that the



regulation commences at a point 56 feet west of Barnesdale Avenue North and extends to a point 20 feet westerly therefrom.

- (v) That the existing yield sign be replaced such that southbound traffic on Devonport Street be required to stop for eastbound and westbound traffic on Tom Street.
- (w) That eastbound traffic on Morgan Road be required to stop for northbound and southbound traffic on Caroga Court.
- (x) That three-way stop control be implemented at the intersection of Republic Drive and Brigade Drive.
- (y) That three-way stop control be implemented at the intersection of Dundonald Avenue and Kimberley Avenue.
- (z) That four-way stop control be implemented at the intersection of Shadyside Avenue and Halam Avenue.
- (aa)
  - i. That northbound motorists in the east curb lane of Mount Albion Road be required to turn right at King Street East; and
  - ii. That northbound motorists in the second and third lanes from the east curb of Mount Albion Road be required to turn left at King Street East.
- (bb)
  - i. That the existing "No Parking" regulation on the west side of Parkview Drive between Norwood Road and Franklin Avenue be replaced by a "No Stopping" regulation; and
  - ii. That the existing "No Parking" regulation on the south side of Norwood Drive commencing at the southerly leg of Parkview Drive and extending to a point 121 feet easterly therefrom be replaced by a "No Stopping" regulation; and
  - iii. That the existing "No Parking" regulation on the north side of Norwood Road between Parkview Drive and Uplands Avenue be replaced by a "No Stopping" regulation.

- (cc) i. That the Director of Traffic Services be authorized to issue parking permits to the residents at Nos. 22, 24, 26, 28, 30, 32, 34 and 36 Riverdale Drive; and
  - ii. That a permit parking regulation be implemented on the east side of Riverdale Drive in front of Nos. 22 to 36 Riverdale Drive.
- 14. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first nine applicants residing in the apartment building at No. 46 Bold Street.
- 15.
  - (a) That the existing residential boulevard parking agreement registered as Instrument No. 359677 C.D. to the property at No. 212 MacNab Street North be discharged, at the property owner's expense; and
  - (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
- 16. That the School Crossing Guard at the intersection of Maplewood Avenue and Norway Avenue be relocated to the intersection of Maplewood Avenue and Springer Avenue on a trial basis to be reviewed in January, 1992.
- 17.
  - (a) That the Chairman or his designate be authorized to attend the 1991 Fall Meeting of the Air & Waste Management Association to take place on September 22 to 24, 1991 at Hockley Valley, Ontario;
  - (b) That costs for attendance be allocated to Alderman Travel Account No. CH55201 10010 from the 1991 Operating Budget.
- 18.
  - (a) That Rogers Cable be permitted to erect an overhead cable TV wire across Kenora Avenue at 150/154 Kenora Avenue; and
  - (b) That Rogers Cable be responsible for any costs associated with this erection.

September 24, 1991

19. That leave be granted to introduce the following Bills:

- (a) **Bill A-58** A By-law to Authorize the Construction of Local Improvements of Concrete Sidewalks on the East Side of Centennial Parkway between Hamilton and/Stoney Creek Limits and Vineyard Road.
- (b) **Bill A-59** By-law to Authorize the Construction of Local Improvements of Concrete Sidewalks on the South Side of Limeridge Road between Upper Sherman and Hydro Right-of-Way.
- (c) **Bill A-60** A By-law to Incorporate City Lands into Queen Victoria Drive.
- (d) **Bill A-61** A By-law to Incorporate City Lands into Glen Forest Drive.
- (e) **Bill A-62** A By-law to Amend By-law 89-72 to Regulate Traffic.
- (f) **Bill A-63** A By-law to Amend By-law 89-72 to Regulate Traffic.

**RESPECTFULLY SUBMITTED,**

T. Agnello  
Secretary  
September 16, 1991

**ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE**



## **REPORT OF THE PARKS AND RECREATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SEVENTEENTH** Report for 1991 and respectfully recommends:

1. That approval be given to Clancy's Five Baseball Team to sell beer on the occasion of their baseball tournament to be held at Globe Park on Friday, 1991 September 27 until Sunday, 1991 September 29, subject to the following terms and conditions:
  - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the applicant assume responsibility for all labour related costs as a result of this event.
  - (d) That the concessionaire be contacted to make the necessary arrangements for the provision of food.

### **Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Gallagher, Murray, Ross.  
-16.

NAYS: Alderman Jackson. -1.

**CARRIED.**

2. That a purchase order be issued to Shersdale Inc. o/a Electrical Maintenance Services, Hamilton, in the amount of \$84,900.00, including all taxes, being the lowest of three tenders received, to supply and install track lighting at Mohawk Sports Park, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Track Lighting, Mohawk Sports Park Account No. CH56398 62910.  
**REFERRED BACK.**
3. (a) That the following land leased for farming purposes to Malcolm Bethune be approved:
  - i. 33.94 acres, more or less, on the Turner Farm situated on Regional Road East at an annual rental of \$848.50 (\$25.00 per acre) including estimated realty taxes of \$1,031.30, and credited to Account No. CH44104 31106 (Rental Civic Properties - Civic Properties Rented).
  - ii. 59.59 acres, more or less, of land at the Mount Hamilton Cemetery at an annual rental of \$1,489.75 (\$25.00 per acre) including estimated realty taxes of \$1,760.01, and credited to Account No. CH44118 63001 (Rental Cemeteries).
- (b) That the lease commence on 1991 May 1 for a period of two (2) years and terminate on 1993 April 30.
- (c) That the City Solicitor be authorized to prepare the necessary leases.
4. That the newly developed neighbourhood park within the T. B. McQuesten Multi-Cultural Gardens be officially named Rushdale Park.
5. That the "Sachem" printing press, previously approved for deaccessioning, be advertised to Ontario museums through the Trillium Network or to other appropriate institutions.

6. (a) That approval be given to enter into a contract with Chamberlain Architect Services Limited of Burlington, Ontario as the Prime Consultant for the Huntington Park Recreation Centre/Renovations and Addition. The contract amount will be \$237,500.00 - two hundred and thirty-seven thousand, five hundred dollars.
- (b) That a contract satisfactory to the City Solicitor be entered into between the City and the prime consultant, Chamberlain Architect.
- (c) That the Mayor and City Clerk execute the contract on behalf of the City.
- REFERRED BACK.**

**Recorded vote.**

YEAS: Aldermen Kiss, Agro, McCulloch, Drury, Copps, Lombardo, Merling, Gallagher, Murray, Ross. - 10.

NAYS: Aldermen Cooke, Hinkley, Wilson, Agostino, Formosi, Jackson. -6.

**CARRIED.**

7. (a) That the Director of Culture and Recreation be authorized to proceed with the second direct snack bar (food and beverage) operation at the Mountain Arena.
- (b) That, within the terms of the Business Plan for Concession Services, the Director of Culture and Recreation be authorized to:
- i. Acquire the necessary start-up equipment and supplies from within the current Department budget allocations, complying with purchasing and financing policies, to an amount not to exceed \$12,000.00.
  - ii. Purchase ongoing food, beverage and confectionaries from revenues generated from sales.
  - iii. Co-ordinate any building modifications with the Property Department.



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- iv. Provide part-time/seasonal staffing of the snack bar consistent with staffing policies at Lawfield Arena with costs not to exceed \$350.00 per week until the end of this year.
- 8. That the Director of Culture and Recreation be authorized to restructure the Programming Section of the Recreation Division to provide for dedicated program co-ordination, within the existing program staffing, to the following areas:
  - Fitness and Aerobic Classes
  - Community Special Needs Programs
  - Community Development Programs
  - Department Communications and Information Services
  - Arts Programming in Community and Recreation Centres
  - The 1992 Ontario Senior Games

These positions do not require reclassification and are within the current staff compliment.

- 9. That Mr. Irving Zucker be nominated by City Council for a Department of Communications' "Lescarbot Award" as a respected and significant benefactor to the Arts.

**Respectfully Submitted,**

**K. Christenson**  
Secretary

**ALDERMAN T. MURRAY, CHAIRMAN**  
**PARKS AND RECREATION COMMITTEE**

**1991 September 17**

September 24, 1991

## **REPORT OF THE PARKS AND RECREATION COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **EIGHTEENTH** Report for 1991 and respectfully recommends:

1. (a) That a purchase order be issued to Demik Construction Limited, 1250 Stone Church Road East, Hamilton, Ontario in the amount of \$2,920,000.00 (lowest acceptable of the 10 bids received), for the construction of the new Sackville Hill Seniors Recreation Centre, 680 Upper Wentworth Street, Hamilton, Ontario.

This amount does not include the estimated amount of \$204,400.00 for the Goods and Services Tax (G.S.T.).

- 
- (b) That approval be given to enter into a contract, satisfactory to the City Solicitor, with Demik Construction Limited, 1250 Stone Church Road East, Hamilton, Ontario for the construction of the new Sackville Hill Seniors Recreation Centre, 680 Upper Wentworth Street, Hamilton, Ontario. The contract amount will be \$2,920,000.00.

- 
- 
- (c) That the Mayor and the City Clerk execute the contract on behalf of the City.

**Respectfully Submitted,**

**K. C. Christenson**  
Secretary

**ALDERMAN T. MURRAY, CHAIRMAN**  
**PARKS AND RECREATION COMMITTEE**

**1991 September 24**

## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1991 and respectfully recommends:

1. That a Hamilton Rehabilitation Programme (H.A.R.P.) application be approved for 13 Albemarle Street, Diana & Gerald Crewe. The actual amount of grant or loan to be determined by inspection of the property under Property Standards By-law 74-74, and pursuant to By-law 78-133 for the Hamilton Rehabilitation Programme (H.A.R.P.).
2. That the Building Commissioner be authorized to issue a demolition permit for the following properties:
  - (a) 403 Sherman Avenue North
  - (b) 1258 Upper Wentworth Street
3. That an increase of one thousand, and sixty-four dollars (\$1,064.) under the Community Heritage Trust Fund for a revised loan amount of nine thousand, one hundred and forty-four dollars (\$9,144.) be approved for Mr. H. Ollesch, 172-176 Locke Street South, Hamilton. The interest rate will be six percent, amortized over ten years.
4. That an increase of one hundred and fifty dollars (\$150.) for a Designated Property Grant for a revised grant amount of one thousand, nine hundred and fifty dollars (\$1,950.) be approved for Mrs. Roshan Dharsee, 27 Bold Street, Hamilton.



5. That a purchase order be issued to The Landmark Group Ltd., Mississauga, in the amount of \$57,284.99 plus applicable taxes, to supply, deliver and install Office Furniture in the Building Department, being the lowest acceptable of four quotations received, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed through Renovate Building Department, Administration and PX Divisions, Furniture and Fixtures Account No. CF509141017 5330.
6. That a purchase order be issued to 877138 Otario Inc. o/a Bud's Contracting, Stoney Creek, in the amount of \$147,987.69 including all taxes being the lowest of five (5) quotations received for landscape improvements, Central/Beasley P.R.I.D.E., in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Central/Beasley P.R.I.D.E., Account No. CF5200 429002003.
7. That the City of Hamilton accept the sum of \$18,500. as cash payment in lieu of the 5% land dedication in connection with "South Hill - Phase 2", Hamilton, being the cash requirement under Section 50 of the Planning Act. The lands of South Hill - Phase 2 are located south of Rymal Road West and west of Upper James Street in the Kennedy East Neighbourhood.
- 8.(a) That approval be given to the "Intent to Designate" Princess Elizabeth School as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached hereto as Appendix "A";  
  
(b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
9. That the 5% Parkland Credit for Block 69 of Plan 62M-577, be transferred to the lands on Upper Wentworth Street and Balharbour Drive, to be owned by Wellington Chase Inc.

10. That the Mayor and the City Clerk be authorized to execute the necessary documents to release Altofort Development Inc., Hamilton from the construction covenants to the City as contained in Deed Instrument Numbers 199581 L.T. and 199582 L.T., Lot 7 and the north half of Lot 6, Plan M-227, Part 1, 62R-8630, Lancing Drive registered on 1987 May 4.
- 11.(a) That an Agreement by Owner to Accept Compensation for the property of Mr. Joseph Kusz, executed on 1991 September 10 and scheduled for closing on or before 1991 November 30, be accepted and completed. The subject property being Municipal Number 211 Brant Street, having a total frontage along the northern limit of Brant Street 21.505 metres (70.55 feet) more or less, shown as Part 2 on Expropriation Plan No. 79835, together with all structures erected thereon. That the total compensation of \$78,000. along with all associated costs be charged to Account Number CF 55903 08750001 (Land Acquisition - Enclave Clearance Program) and that demolition of the structure at 211 Brant Street take place upon closing.
- (b) That the Mayor and City Clerk be authorized to execute this Agreement on behalf of the City.
- 12.(a) That City Council endorse the Association of Municipalities of Ontario's position papers on the Provincial Government's Ministry of Housing Green Papers entitled, "A Housing Framework for Ontario", and "Government Land for Housing"; and,
- (b) That the City of Hamilton request the Province of Ontario to conduct another round of consultations on their "preferred approach" before passing Provincial legislation.
13. That approval be given to Zoning Application 91-31, Antonio and Sestina Aceti, owners, for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, to permit the creation of two additional single-family residential lots, for the property known as 193 Stone Church Road West, as shown on the attached map marked as Appendix "B", on the following basis:

- (a) That the subject lands be rezoned from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map W-9C for presentation to City Council; and,
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
14. That approval be given to Zoning Application 91-38, Fred and Theresa Dalpetz, owners, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located at 297 Stone Church Road West, as shown on the attached map marked as Appendix "C", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-Law No. 6593 and Zoning District Map W-17C for presentation to City Council;
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
15. That approval be given to Zoning Application 91-34, Hamilton Horseshoe Pitching Club, Inc., Lessee, requesting a modification to the "KK" (Restricted Heavy Industrial) District, to permit a private club (horseshoe pitching), a restaurant and a public hall (billiard room with one table) within the existing building, for the property located at 170 Brockley Drive, as shown on the attached map marked as Appendix "D", on the following basis:
- (a) That the "KK" (Restricted Heavy Industrial) District regulations, as contained in Section 17A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:



- (i) That notwithstanding Section 17A(1), the following commercial uses shall be permitted within the existing building only:
    - (1.) a private horseshoe pitching club, including a billiard room and a restaurant as accessory uses;
  - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1244, and that the subject lands on Zoning District Map E-123 be notated S-1244;
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-123 for presentation to City Council;
  - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning area.
- 16.(a) That approval be given to Zoning Application 91-28, John F. Petis, owner, for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "E-3" (High Density Multiple Dwellings) District, for property located at 180-188 Wilson Street, as shown on the attached map marked as Appendix "E", on the following basis:
- (i) That the subject lands be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "E-3" (High Density Multiple Dwellings) District;
  - (ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council;
  - (iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received Site Plan approval, for the subject lands.

- 17.(A) That approval be given to Official Plan Amendment No.103 for the establishment of a Special Policy Area, to permit the parking use within the "Residential" designation, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (B) That approval be given to Zoning Application 89-113, 546544 Ontario Inc. (Juraj Sulug - President and Secretary Treasurer), owner, for a change in zoning from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District for Block "1", from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District for Block "2", and from "C" (Urban Protected Residential, etc.) District, modified, to "G-3" (Public Parking Lots) District for Block "3", to allow the use of the subject lands for parking purposes, in conjunction with an adjacent existing commercial use at 921 Queenston Road, for property located on the south side of Strawberry Drive, east of Lake Avenue North, (rear of 921 Queenston Road East), shown as Blocks "1", "2" and "3" on the attached map marked as Appendix "F", on the following basis:
- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District;
  - (b) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District;
  - (c) That Block "3" be rezoned from "C" (Urban Protected Residential, etc.) District modified, to "G-3" (Public Parking Lots) District;
  - (d) That the "G-3" (Public Parking Lots) District regulations, as contained in Section 13C of Zoning By-Law No. 6593, applicable to Blocks "1", "2" and "3", be modified to include the following variances as special requirements:
    - (i) That notwithstanding Section 13C, only a parking lot used in conjunction with the commercial use located on adjoining lands at 921 Queenston Road in the City of Stoney Creek shall be permitted;
    - (ii) That a visual barrier not less than 2.0 m in height, excluding vehicular access, shall be provided and maintained along the northerly, westerly and easterly property lines;

- (iii) That a planting strip of not less than 1.5 m in width, excluding vehicular access, shall be provided and maintained along the northerly and westerly property lines;
  - (iv) That a planting strip of not less than 3.0 m in width, shall be provided and maintained along the easterly property line;
  - (v) That no vehicular access to or egress from Strawberry Drive shall be permitted.
- (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1245, and that the subject lands on Zoning District Map E-125 be notated S-1245;
  - (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-125 for presentation to City Council; and,
  - (g) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No.103 by the Region of Hamilton-Wentworth.
- (C) That the amending By-law not be forwarded for passage by City Council until such time as the applicant applies for and receives Site Plan approval, including the payment of all outstanding servicing costs to the City and Region adjacent to the 0.3 m reserve on Strawberry Drive.
18. That amended Zoning Application 91-08, 668550 Ontario Limited (A. Tuite and L. Centurami), owners, requesting an amendment to the Official Plan to redesignate the lands from "Residential" to "Commercial", and to rezone the lands from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District, modified to permit the development of the subject lands for a 40 seat, fast food restaurant with a drive through facility, for property located at 75 Rymal Road East, as shown on the attached map marked as Appendix "G", be denied for the following reasons:
- (a) It represents an undesirable extension of a 'highway commercial' use into an area designated and used for single-family residential uses;



- (b) There is an adequate supply of commercially zoned and designated land to accommodate the proposed use in the area of Upper James Street and Rymal Road;
- (c) It does not comply with the intent of the approved Ryckman's Neighbourhood Plan which designates the subject lands for "Single and Double Residential" use;
- (d) The requested "G-3" (Public Parking Lots) District modified zoning is inappropriate for the proposed development, in that the only building permitted is one used for the shelter of attendants. In this regard, the proposed amendment to the "G-3" District to permit a 'fast food' restaurant on the site has the same effect as rezoning the lands to a commercial district such as the "HH" (Restricted Community Shopping and Commercial, etc.) District. Furthermore, the "G-3" District modified is a misnomer, in that the lands will not be developed for a 'parking lot';
- (e) In 1990, the applicant was granted an extension of the commercial zoning for the lands to the west to 'square off' the site to allow for commercial development. At that time, the applicant amended the Zoning Application to delete the subject lands for commercial development; and,
- (f) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Neighbourhood Plan and alter the character of the area.

19. That approval be given to Zoning Application 91-37, David John Armstrong, owner, requesting a further modification to the "HH" (Restricted Community Shopping and Commercial) District regulations, to permit a gas bar, variety store, bank, professional offices (excluding medical), dry cleaner outlet, video store and drug store, for lands at the south-west corner of Upper Sherman Avenue and Limeridge Road East, as shown on the attached map marked as Appendix "H", on the following basis:

- (a) That By-law No. 88-205 and By-law No. 90-273 be repealed in their entirety.
- (b) That the subject lands be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community and Commercial) District;

- (c) That the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations, as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
    - (i) That notwithstanding Section 14A(1), only the following commercial uses shall be permitted:
      - (1.) a bank;
      - (2.) professional offices (excluding medical);
      - (3.) a dry cleaner outlet;
      - (4.) a video store;
      - (5.) a drug store;
      - (6.) a variety store; and,
      - (7.) a gas bar.
    - (ii) That a landscaped strip not less than 3.0 m in width and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire westerly and southerly lot lines.
  - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1246, and that the subject lands on Zoning District Maps E-27A and E-27B be notated S-1246;
  - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-27A and E-27B for presentation to City Council;
  - (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
20. That Section 14 of the Twenty-First Report for 1990 of the Planning and Development Committee, respecting Zoning Application 90-67, be amended to remove the condition which required the by-law to be held in abeyance until approval of a site plan, for lands located on the west side of Rice Avenue, south of Chedmac Drive, as shown on the attached map marked as Appendix "I", on the following basis:

- (a) That Section 14(b)(ii)(1.)(b) be amended to permit a maximum of 41 townhouse dwelling units;
- (b) That a new Section 14(b)(ii)(1.)(d) be added as follows, and the subsequent Section be renumbered accordingly:

"That notwithstanding Section 2.(2)A.(xiiaa) of By-law No. 6593, one dwelling unit shall be permitted in the same building as the residential care facility."

- (c) That Section 14(c) be deleted and the following substituted therefore:

"That the approval of a noise study shall be included as part of Site Plan approval."

- 21. That approval be given to register plans of Site Plan Control Application DA-91-52 by Oshawa Holdings Ltd., owners of 590 Nash Road North, to amend the plans of Site Plan Control Application DA-87-86, registered on title on 1988 July 20, as Instrument No. 466524CD.
- 22. That leave be granted to introduce the following Bills:
  - (a) Bill C-63 A By-law to amend Zoning By-law No. 6593 respecting lands located in the area north of Rymal Road East and west of Upper Gage Avenue.
  - (b) Bill C-64 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1175 Stone Church Road East.
  - (c) Bill C-65 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 135 Nebo Road.
  - (d) Bill C-66 A By-law to adopt Official Plan Amendment No. 100 respecting lands bounded by Rymal Road East to the north, the City Limits to the south, Upper James Street to the west and the Mount Hamilton Cemetery to the east within the Allison Neighbourhood.



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- (e) Bill C-67 A By-law to adopt Official Plan Amendment No. 101 respecting land located at Municipal No. 674 Upper James Street within the Bonnington Neighbourhood.
- (f) Bill C-68 A By-law to adopt Official Plan Amendment No. 102 respecting lands located at Municipal Nos. 122-126 MacNab Street South and 109, 111 and 123 Charles Street within the Durand Neighbourhood.
- (g) Bill C-69 A By-law to amend Building Code By-law No. 85-86 to authorize Building Permits and Fees.
- (h) Bill C-70 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 82 Christie Street.
- (i) Bill C-71 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 987 Upper Paradise Road.
- (j) Bill C-72 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1425 and 1429 Upper James Street.
- (k) Bill C-73 A By-law to amend Zoning By-law No. 6593 and to repeal Zoning By-law No. 87-29 respecting lands located at Municipal Nos. 122-126 MacNab Street South and 109, 111 and 123 Charles Street.

Respectfully submitted,

**ALDERMAN F. LOMBARDO, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE**

Charlene J. Coutts  
Secretary  
1991 September 18

## REASONS FOR DESIGNATION

### Former Princess Elizabeth School, 235 Bowman Street

#### Context

The former Princess Elizabeth School at 235 Bowman Street is located on the eastern edge of the residential area of West Hamilton, near the foot of the escarpment. Set well back from the street on its original 3-acre piece of property, this distinctive early 20th century school building is surrounded by open space attractively landscaped with grass, shrubbery and mature trees. The school and its setting are enhanced by a panoramic view of the escarpment to the south and south-east.

#### Architectural Significance

The original West Hamilton School, designed by the local architectural firm of Warren & McDonnell and erected in 1922, was a one-storey steel and reinforced concrete structure clad in rug brick and Indiana limestone with four classrooms built around a central auditorium. In anticipation of future increases in pupil enrolment, the original building was designed to be enlarged first by a second storey providing five additional classrooms (built in 1930) and later by a rear addition, which was never built. Considered to be specialists in school architecture, F.W. Warren and the partnership of Warren & McDonnell designed a number of schools in the Hamilton area and throughout the province. Two known extant buildings which stand out for their size and architectural distinction are the W.H. Ballard School in Hamilton's east end, reputedly "the largest public school in Canada" when it opened in 1923, and the Elizabeth Zeigler School in Waterloo, opened in 1931.

Ranking among Hamilton's finest early 20th century school buildings, Princess Elizabeth is one of several outstanding examples of the Collegiate Gothic style: also worthy of mention are Memorial School (1919), Delta Collegiate (1924), Cathedral Boys' High School (1928), Westdale Secondary School (1930), and McMaster University's five original stone buildings (1931).

Characteristic Collegiate Gothic features of Princess Elizabeth include the emphasis on horizontal lines (accentuated by its low profile and stone banding) and the prominent central entrance with carved stone Gothic detailing. The original cut stone entrance features a Tudor-arched doorway, double arched wood doors, and a rib moulding over the doorway sprung from two carved figure heads. The turreted frontispiece of the second storey addition designed by F.W. Warren is crowned by a crest displaying the symbol of learning: an open book.

The building appears to have been designed to appeal to children: noteworthy in this regard are its inviting scale, the fanciful quality of its architectural detail, and the natural light and views provided by the large multi-paned classroom windows reaching almost to the floor. The architectural integrity of the exterior is remarkable: except for minor alterations to the two side entrances and the replacement of the original carved stone West Hamilton School sign, the three main facades (north,

Appendix "A" as referred  
to in Section 8(a) of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee

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south and west), including the original front entrance doorway and the windows, have been preserved intact.

Princess Elizabeth was one of relatively few early 20th century public schools in Ontario planned with the classrooms located around a central auditorium lit from above, a feature of only two other Hamilton schools: Memorial and W.H. Ballard. Described at the time of the school's opening as "the showroom" of the building, the original auditorium was a spacious, 2-storey multi-purpose hall designed to accommodate assemblies, indoor sports and athletics, concerts and lectures, and various other school and community activities. Its impressive interior space was illuminated by a large central skylight and featured a coved ceiling with a grid of twenty amber glass panels diffusing the light from above. The auditorium space was modified in 1930 by the addition of the second storey classrooms and corridor forming an open cantilevered balcony around three sides, and was further altered in 1971 by the enclosure of this balcony by a solid partition wall with small windows and the consequent obscuring from view of the ceiling cornice at the ground floor level.

#### Historical Significance

Built to accommodate children from the village of West Hamilton, the original West Hamilton School was commissioned by the Wentworth County Board in response to ratepayers' demands for a new facility to relieve the overcrowding at Binkley, the only public school then serving a large area encompassing the village. Originating as a small suburban survey opened in 1908 and bounded by the Dundas Road, the escarpment, the Rifles Ranges and Bowman Street, West Hamilton had by the 1920s grown into a thriving community with numerous stores and businesses.

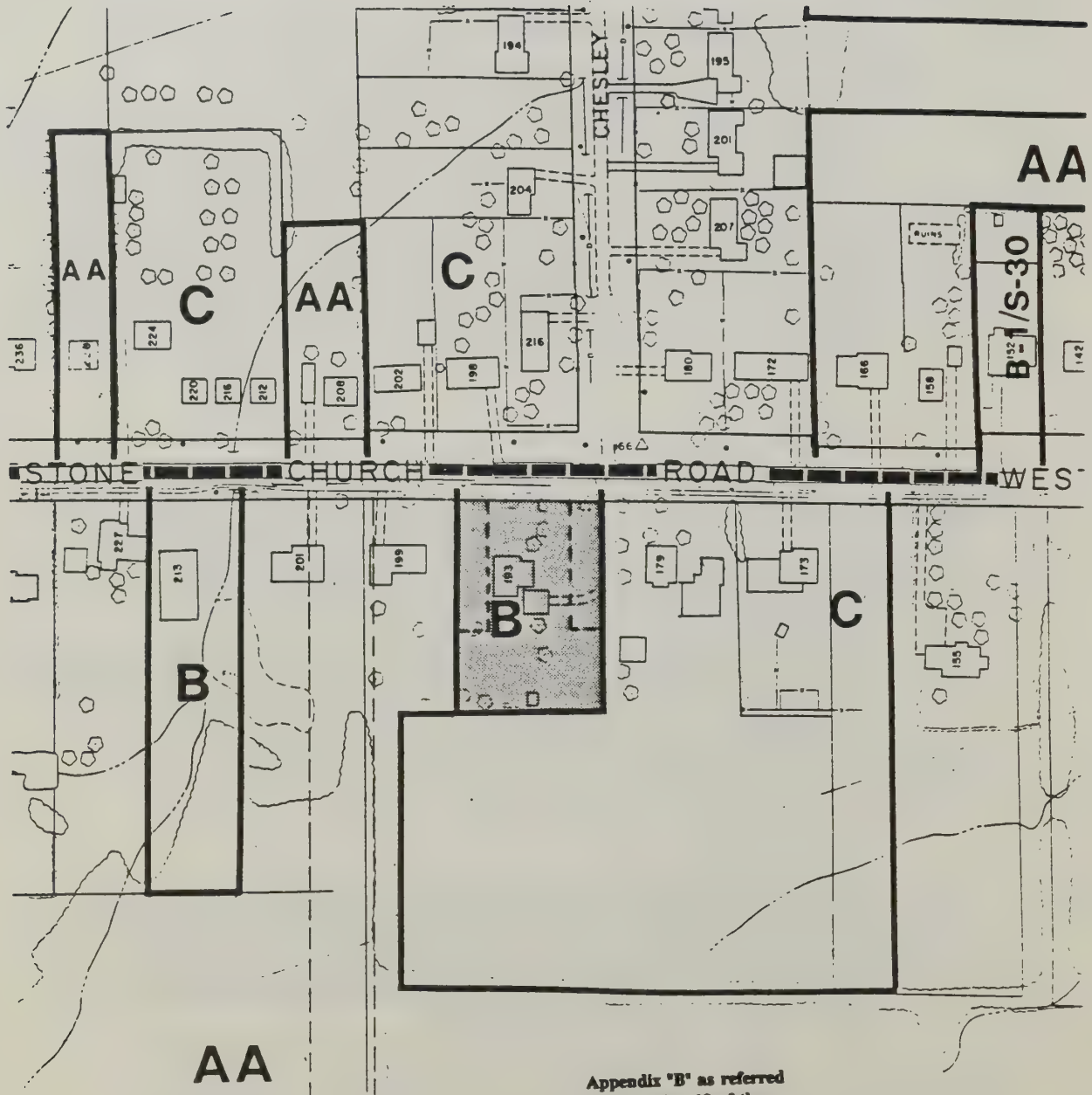
West Hamilton School came under the jurisdiction of the Hamilton Board of Education in 1930, when the village was annexed by the City, and was doubled in size the same year. Renamed Princess Elizabeth School in 1940, the building served as a public school until 1983, when all of its pupils were transferred to Prince Philip School on Rifle Range Road. Leased for seven years to the Wentworth Montessori School, the building was purchased in 1991 by the Hamilton Hebrew Academy for use as a seminary.

#### Designated Features

Important to the preservation of the former Princess Elizabeth School are the original features of the west (front), north and south facades, and on the interior: the entrance hallway, two original stairways, corridors and auditorium. Included is the decorative stonework, the original steel-sash windows and wood doors (interior and exterior), the coved ceiling and skylight of the auditorium, the glazed wall tile and original woodwork. Excluded are the rear wall and the modern fire-rated partition walls enclosing the balcony and stairwells.



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Legend



Site of the Application

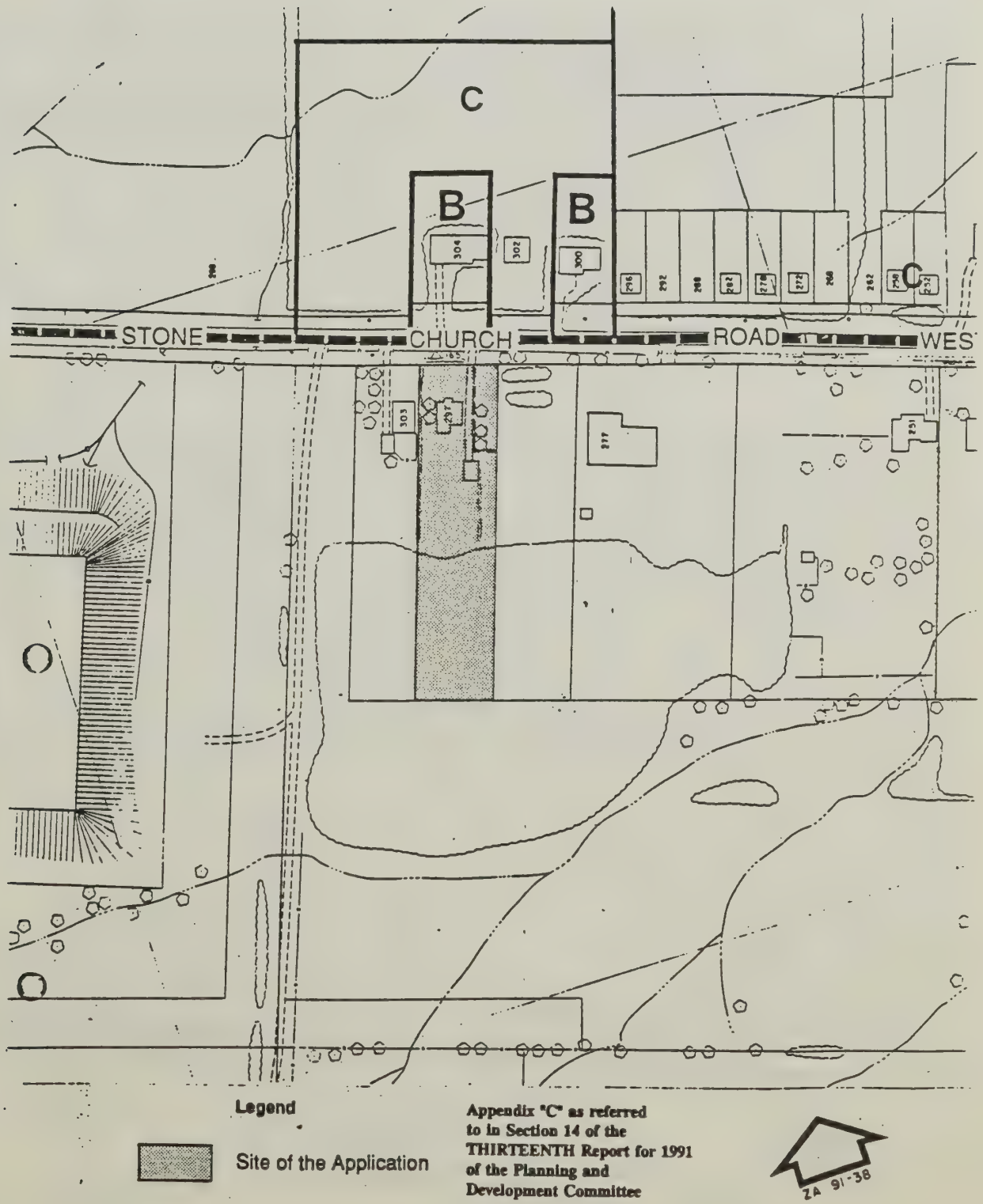
Appendix "B" as referred  
to in Section 13 of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee



1311

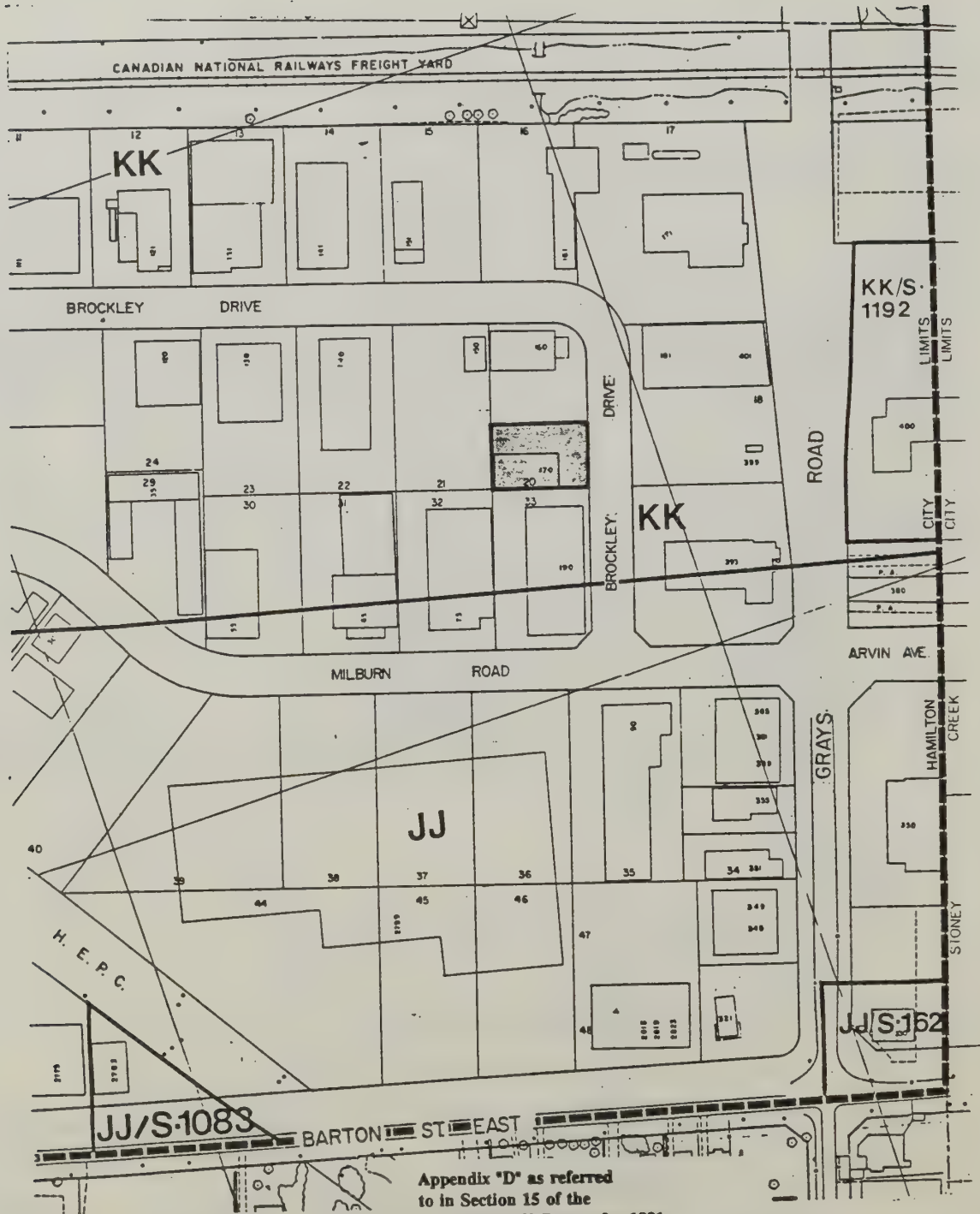
C 13

September 24, 1991



1312

September 24, 1991



Legend



Site Of The Application

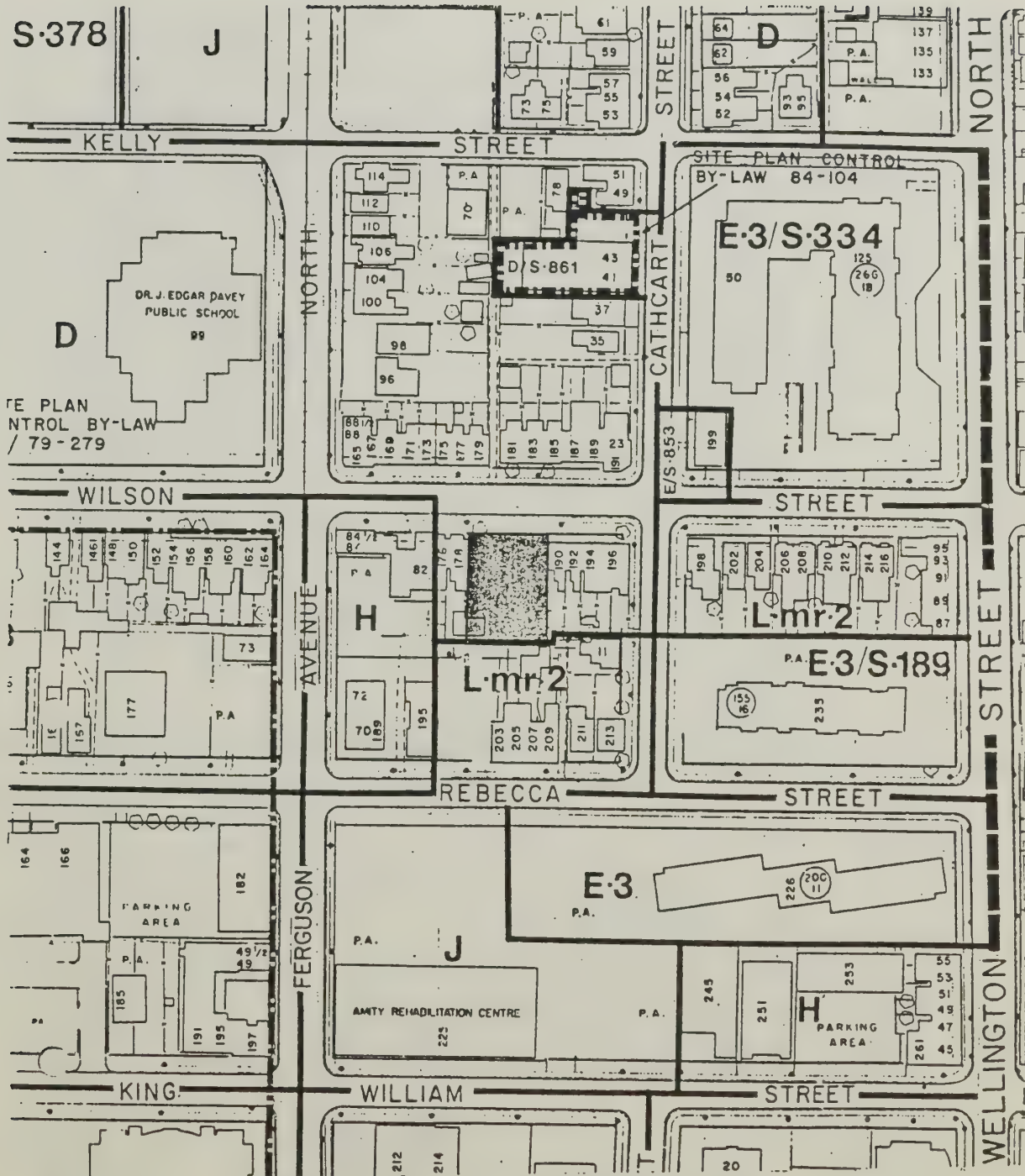
Appendix "D" as referred  
to in Section 15 of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee

1313





September 24, 1991

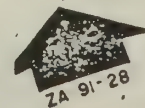


Legend



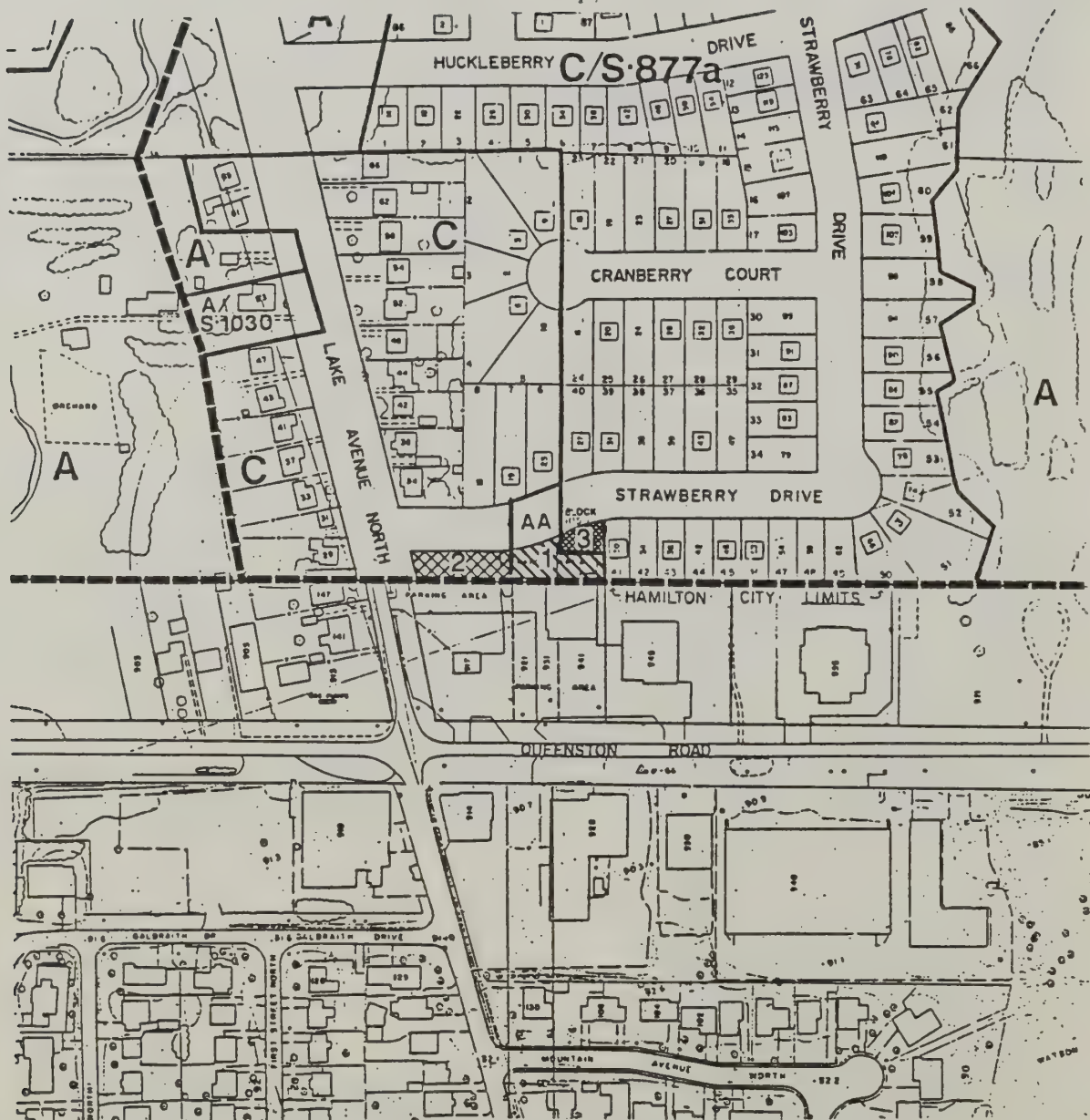
Site of the Application

Appendix "E" as referred  
to in Section 16 (a) of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee






1314

September 24, 1991



# Legend

Proposed change in zoning from :

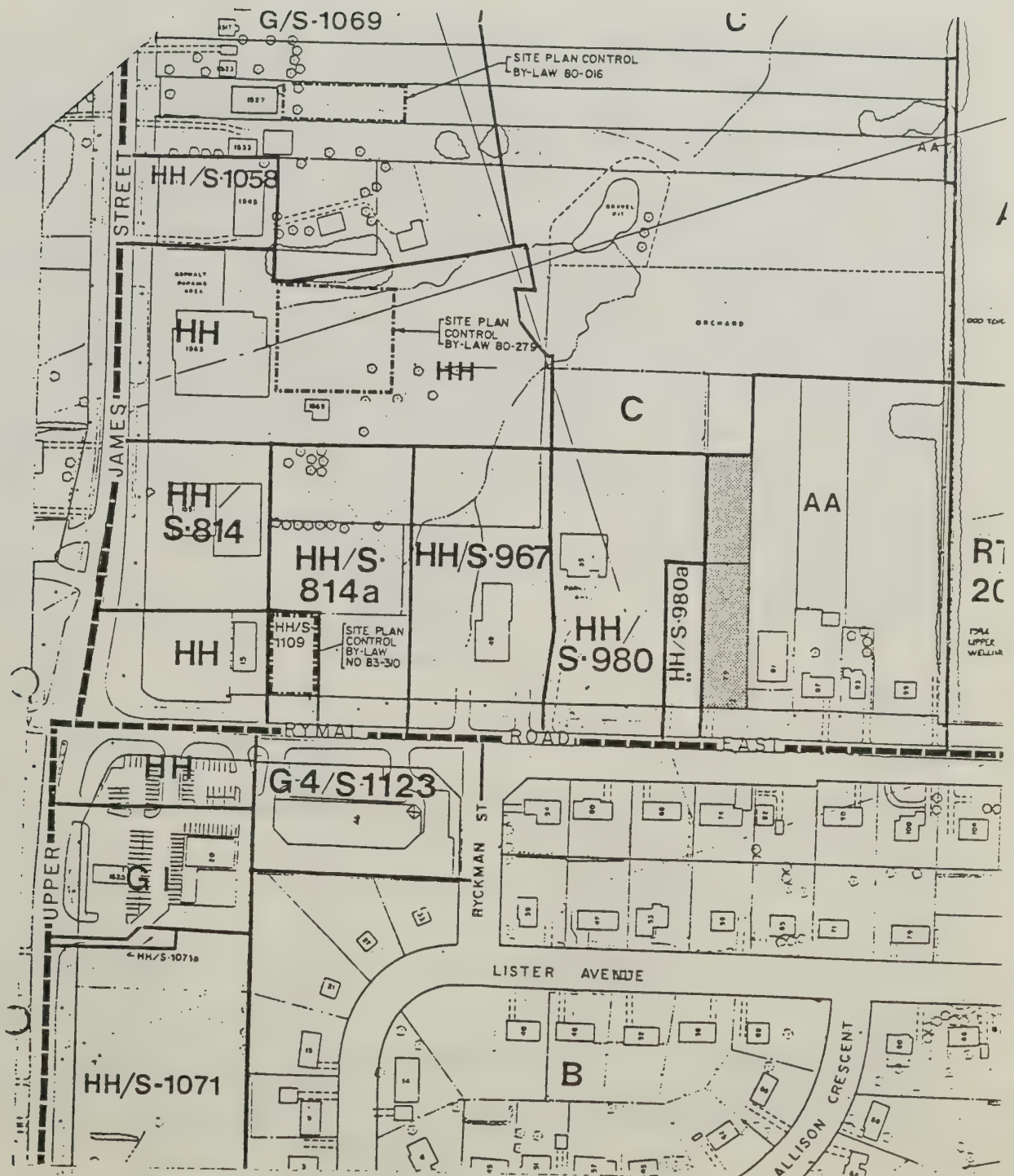
- BLOCK 1  \*AA\* (Agricultural) District to "G-3" (Public Parking Lots) District.
- BLOCK 2  \*C\* (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District.
- BLOCK 3  \*C\* (Urban Protected Residential, etc.) District, modified to "G-3" (Public Parking Lots) District.

Appendix "F" as referred  
to in Section 17(B) of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee



1315

September 24, 1991



Site of the Application

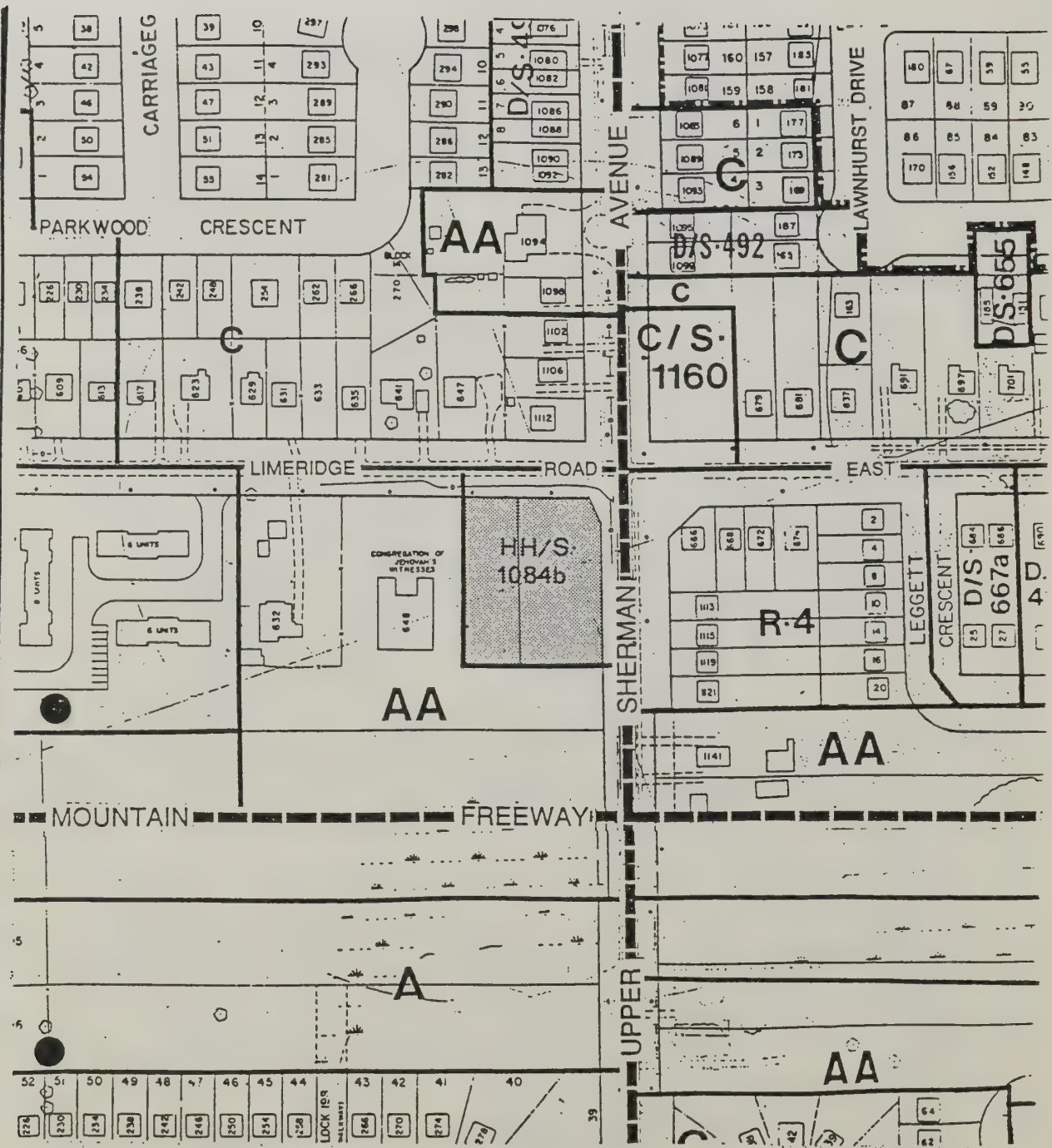
Appendix "G" as referred  
to in Section 18 of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee



1316



September 24, 1991

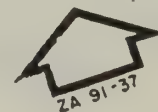


**Legend**

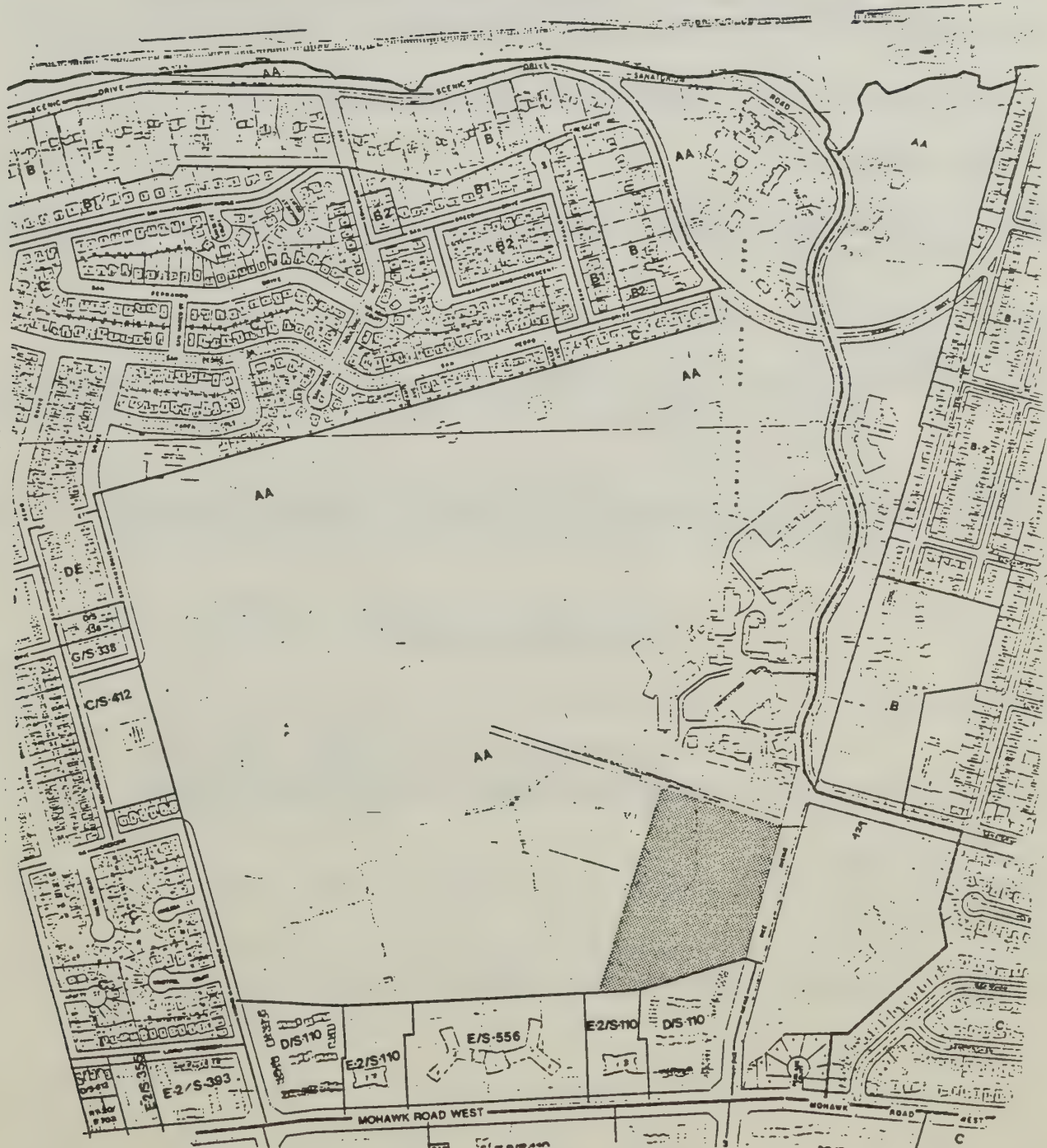


Site of the Application

Appendix "H" as referred  
to in Section 19 of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee



September 24, 1991



Legend



Site of the Application

Appendix 'I' as referred  
to in Section 20 of the  
THIRTEENTH Report for 1991  
of the Planning and  
Development Committee  
1318



September 24, 1991

## **REPORT OF THE INFORMATION SYSTEMS COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Information Systems Committee presents its **FIFTH** Report for 1991 and respectfully recommends:

1. (a) That four computer network concentrators be acquired from Cabletron Systems of Mississauga at \$57,324.00 (\$14,331.00 each), the lowest of 8 proposals received.
- (b) That funds be provided from Account No. CH56605 26032 (Lease -Computer Equipment).

**Respectfully Submitted,**

**ALDERMAN J. GALLAGHER, CHAIRMAN  
INFORMATION SYSTEMS COMMITTEE**

**K. C. Christenson  
Secretary  
1991 September 6**



September 24, 1991

**REPORT OF THE  
SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON SCOURGE PROJECT**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Special Committee to Administer the Hamilton Scourge Project presents its **FIRST** Report for 1991 and respectively recommends:

- (1) That the Director of Culture and Recreation be authorized to initiate the application process with the Ontario Heritage Foundation officials to request approval for a license for a Hamilton/Scourge discovery and articles recovery dive in the second quarter of 1992.
- (2) That the Director of Culture and Recreation be authorized to invite Dr. Margaret Rule (Mary Rose) and Dr. Robert Ballard (Woods Hole Oceanographic Institute) to be the principal archaeologist and science officer for this undertaking.
- (3) That the Hamilton/Scourge Foundation be authorized to request sister status with the Mary Rose Trust of Portsmouth, England.
- (4) That the Hamilton/Scourge Project be restructured according to the Organizational Report Recommendation (appendix A).
- (5) That a Hamilton/Scourge Project "year-round" exhibit be established in concert with Dundurn Military Museum.
- (6) That the Hamilton Military Museum Curator act as Interim Curator for the exhibit.
- (7) That the Hamilton/Scourge Project Conservator be provided the support requirements to apply for a British Council conservation exchange for January - February 1992.

September 24, 1991

**RESPECTFULLY SUBMITTED,**

**ALDERMAN W. MCCULLOCH, CHAIRMAN,  
SPECIAL COMMITTEE TO ADMINISTER  
THE HAMILTON/SCOURGE PROJECT**

**S. Dembe, Secretary**  
1991, September 24

**DEVELOPMENTAL PLAN - JUNE 1991 TO 1996****PREAMBLE**

Following a year of reflection on the results of the Jason Project, the recent presentation by Woods Hole Engineers and discussions with Dr. Margaret Rule, significant direction can be proposed to more fully prepare the Hamilton-Scourge Project for what action will be necessary to move forward.

**BACKGROUND**

Credibility and acceptance on a wide scale for the Hamilton-Scourge Project is a vital commodity for every developmental step.

The Jason Dive of 1990 faced heavy opposition and early criticism to a point where Provincial Licensing was in serious jeopardy.

This was only overcome by the empowerment of Dr. Margaret Rule, the determination of Dr. Robert Ballard and the confidence of The Ontario Heritage Foundation that the national historically significant site would be respected and protected every step of the way.

It is in continuation of that commitment that a willed future is being proposed. A willed future of this municipality requires renewed support from senior government(s).

The Jason Dive generated, "one trillion pieces of information every hour\*", in the two week campaign. This now exists in raw data, most in an unprocessed state and requiring definition to be useable to archaeologists and technicians.

Both Dr. Rule and Engineer Andy Bowen agree that immediate steps must be taken to produce a useable data base from the raw information at Woods Hole...(this data reduction is outlined under sequencing and implicates archaeologist, archivists and technicians).

For this future to be planned successfully a renewal of the Hamilton-Scourge infrastructure must be considered. It requires a senior consultation panel, steering team and administrative structure to accomplish intergovernment co-operation and resource accomplishment. (This organizational proposal is outlined under process structuring and implicates support from three levels of government).

\* Dr. Kenneth Stewart May 1991 - Woods Hole Oceanographic Institute



Both the Technical Feasibility Study and the Rule Report point towards undertakings in a sequence of events that cannot be given a time schedule until resources are clearly in place. More scientific information will be necessary on the specific areas of the site. Contrary to assertions of a "Pristine" Site, degradation is occurring and only its rate of decay remains unknown. Determining this rate is "unglamorous" but absolutely necessary. (This work requires both research and site examination with greater precision than previously obtained and outlined in sequencing and short term goals).

Finally, this background portion of the developmental plan for the Project would be incomplete without recognizing operational success between the partners for discovery. Implicit to progress for the City of Hamilton has been working closely with the provincial responsibilities for heritage protection and the authorities for licensing incursions at historical sites. In addition, the finest available "Hi-Tech" resources and equipment from Woods Hole; these proven commodities were supplemented in specific ways by the Canadian Centre for Inland Waters and Federal competencies.

In 1990, the final link with the Mary Rose Trust was vital, building upon such elements marked more accomplishments of both scientific and educational natures than had been ever previously experienced at any one site.

## THE DEVELOPMENTAL PLAN

The developmental plan projected here is progressively portrayed in sequences without total timelines. A more accurate schedule will become clear as a business plan and resources become accepted. The plan for the Hamilton-Scourge is based on three important competencies from which the sequencing can begin:

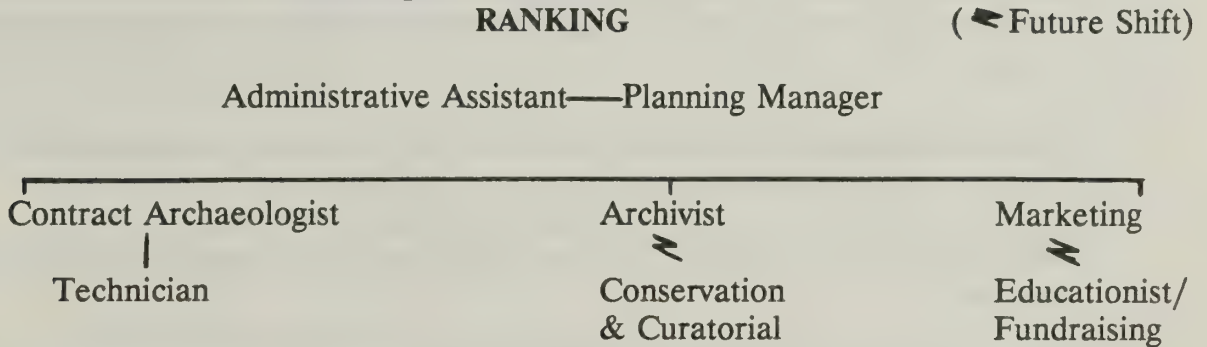
### 1. OPERATIONAL REVIEW

The infrastructure of committee and staff levels require modification to address a different intensity of activity. The Hamilton/Scourge can learn from combined models of the Mary Rose and other organizational examples which have gone before. Certainly, the sophistication of seventeen research staff, sixty Curatorial Assistants and a Management Team of eight, will not be necessary until the Project matures as Mary Rose has done.

In fact, consolidation of existing resources to a focused purpose will be the first step on an employee level. Specifically, a Planning Manager requires a business (administrative) assistant to communicate and follow through with on-going administrative requirements between government agencies and private sector. Preparatory work on funding requires both staff and voluntary resources.

Conservation will be a future need but an Archivist is the forerunner. A Chief Archaeologist and Marketing personnel are part of a successful scenario.

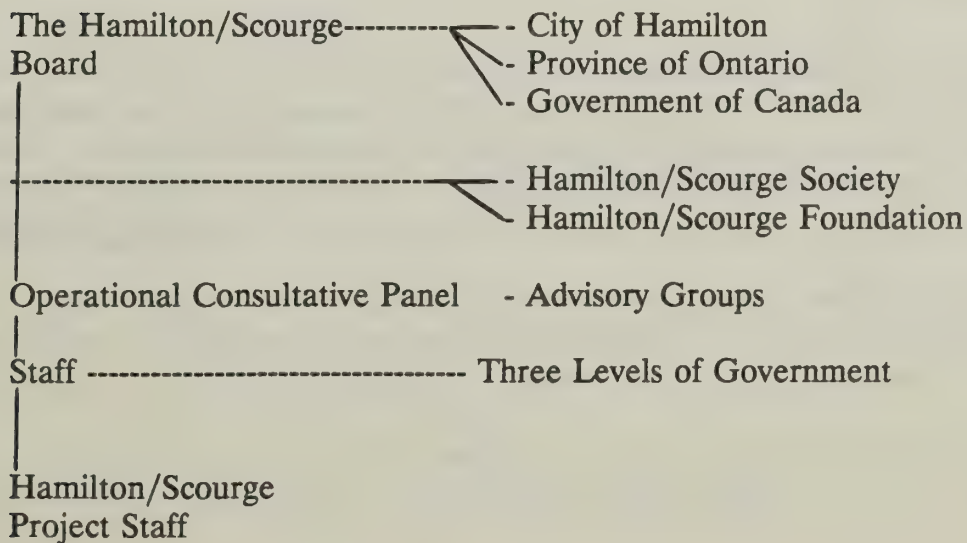
This looks like the following....



This is possible with the current resources. As sequencing progresses a future flow chart will grow as a schedule and goal line is achieved.

To provide the policy needs for the staff level, a liaison and committee system will be required. The Director of Culture and Recreation and the Planning Manager can focus carefully on a mandate driven process at the policy level.

This looks like the following....



Although at first look at this organizational structure may appear cumbersome, it can operate in a streamlined manner and provide for building of trust and competencies. This will be necessary in the steps ahead as all participants must understand their roles.

## **2. DATA BASE MANAGEMENT**

The previous dives and the Jason Project have provided a raw data base. Simply this wealth of information must be processed to an accessible format which can be built upon.

Action steps to achieve this can be summed up by recommending a three day work session at Woods Hole for Archaeologist, Engineers and Technicians.

The details of the undertaking appear in the appendix prepared by A. Bowen, it requires:

- Prework And Format Compatibilities
- Disc System Integration
- Film Transfer Based On 1500 Slides
- E.S.C. Conversion To C.R.U. Disc System
- Archival System Integration
- Video Editing

The near/long term data base needs will be complacent with scientific and archaeological requirements.

## **3. BUSINESS PLAN**

An operation updating and resource bank will require a sound business plan from which to focus. This business plan need not be complex but flow from an agreed mandate statement towards a desired set of goals and objectives. Roles and responsibilities should be clarified from policy level for staff delivery. In short, the mission should drive the operation and the goals should determine the resources.

A profile on a business plan needs to be completed and adopted by a policy renewal.



Following the agreement to organization, data base, integration and business plan, a sequencing of events can be adopted and reviewed on an annual basis.

### SEQUENCE OF EVENTS

- |    |   |                         |
|----|---|-------------------------|
| B1 | Developmental Plan  | - Organizational        |
| B2 | Review Of Technical Feasibility Study<br>And Assessing Of The New Needs |                         |
| B3 | Dr. Rule Report And Recommendations                                     |                         |
| B4 | Data Management Workshop  | - Target September 1991 |
| B5 | C.C.I.W. *Site Sampling & Monitoring                                    | - Target Fall 1991      |
| B6 | Sequencing Of Future Sweeps & Their Goals                               | - Target Winter 1991    |
|    | Seasonal Mooring, Debris Field & Silt Sampling                          | - Target 1992           |
| B7 | Determining Permanent Moorings  | - Target Winter 1991    |
|    | Rigging Action Samplings  | - Target 1993           |
| B8 | Resource Requirements** & Financials                                    |                         |

### CONCLUSIONS

As you will gather, this report does not suggest a radical departure from current practice but points towards a definition of roles and responsibilities. It recognizes the importance of the participants in 1990 and encourages the continuation with enhancements.

This report has been prepared with major input and compliance from Dr. Margaret Rule. Indeed the Mary Rose Trust partnership for the Hamilton/Scourge Project is being recommended.

\* Recommendation to include oxygen levels, phosphate, efficients, temperatures and surface monitoring.

\*\* Application for a British Council Grant for Archival Conservator.

The Hamilton/Scourge Project is at the 1973 stage when compared to The Mary Rose. The state of research and hi-tech equipment will escalate the timelines that Mary Rose followed and this can only be considered as a guide.

From current and past findings the Ships might well be at the 1700 stage of the Mary Rose. Thus some improved statement of the Ships integrity will be forthcoming. It is not completely accurate to call the state "pristine". New evidence points to re-evaluation of metal fatigue and structure deterioration which has occurred. The extent and implications will be an important level of sequences planning and time scheduling of what needs to be done with the Ships.

Both the Society and the Foundation will be major players in the years ahead. A principle patron should be considered if recovery is determined and a hierarchy of donors will be a necessity, fundraising should not be deterred. Deliberate high and lower bracket events should proceed. Dinners, premiers and gatherings should be escalated along with the current educational campaigns.

The need for a defined approach to development is being emphasized to consolidate long and short term planning. This is not to be a "wait and see" approach but action based. Clearly a proactive assertion towards the best "desirable" future will be the outcome.

## REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTEENTH** Report for 1991 and respectfully recommends:

1. That a representative of the Licence Division be authorized to attend the Canadian Association of Taxicab Regulatory Administrators Conference to be held in Ottawa from 1991 September 26 to 28. **AMENDED AND CARRIED.**
2. That Civic Gold Pins be awarded to Kimberly Shea and Derek Lohnes for winning gold medals for the Province of Ontario in the National Junior Bowling Championships.
3. That Civic Silver Pins be awarded to Kim Beveridge and Elly Kowalczyk for winning the 1991 Ontario Age Group Championship in the Duet 10 and Under Category.
4.
  - (a) That permission be granted to the Hamilton Aids Network for Dialogue and Support (HANDS) to use the City Hall forecourt and related equipment to begin and end a 10 kilometre Walk-A-Thon on Sunday, 1991 October 6 from 12:30 p.m. until approximately 4:30 p.m.
  - (b) That permission be granted to the Hamilton Aids Network for Dialogue and support (HANDS) to use the City Hall forecourt and related equipment for a Campaign Kick Off on Friday, 1991 October 4 from 12:00 noon until 1:00 p.m.
5. That approval be given to the action of the City Clerk in authorizing the use of the City Hall forecourt and related equipment on Thursday, 1991 September 12 from 12:00 noon until 2:00 p.m. for a United Way Barbecue.



6. That permission be granted to the Royal Canadian Legion Hamilton Branch to distribute Remembrance Poppies in the City of Hamilton during the Annual Poppy Drive from 1991 November 1 to 11.
7. That approval be given to the action taken by the City Clerk in authorizing the use of City Hall meeting room 219 on Monday, 1991 September 16 from 7:00 p.m. to 9:30 p.m. for a meeting of the Justice for Women Coalition.
8.
  - (a) That the Finance and Administration Committee recommend to City Council that the regular meeting of City Council scheduled for 1991 November 12 be cancelled because of Municipal Election Day.
  - (b) That, in adopting (a) above, consideration also be given to cancelling the regular meetings of the Standing Committees scheduled for the previous week of November 4th.
9. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation to 1991 September 6th, attached hereto as Appendix "A", be approved.
10. That the City Treasurer be authorized to allocate \$40,850. from the 1991 Capital Levy to construct an independent concrete curb on the north side of Leaside Road between Brighton Avenue and Dunn Avenue under The Local Improvement Act, at an estimated cost of \$40,850. being the City's share.
11.
  - (a) That the Commissioner of Human Resources be authorized and directed to take the necessary steps to post and advertise the position of City Treasurer consistent with the Selection Procedure adopted by City Council on January 26, 1982.
  - (b) That Mr. J. J. Schatz, be appointed City Clerk, effective January 1, 1992 within the Salary Schedule D for a period of five (5) years and that the Commissioner of Human Resources be directed and authorized to negotiate the terms of the employment contract.
  - (c) That the Commissioner of Human Resources be directed not to fill the position of Deputy City Clerk pending further review.

- (d) That the newly installed Finance and Administration Committee be directed to deal with the position of Chief Administrative Officer as the first order of business in the new term of Council.
- 12. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 19598/90 by the payment to the Plaintiff, Ona Adomaskas, of \$7,002.50 inclusive of all damages, interest and costs.
- (b) That the Plaintiff, Ona Adomaskas, be required to provide the City of Hamilton with a Full and Final Release in a form satisfactory to the Law Department.
- (c) That Ontario Court (General Division) Action No. 19598/90 be dismissed without costs.
- 13. (a) That Mr. Jim Hindson's contract as Director of Information Services be renewed for a five-year period commencing September 28, 1991, under the terms and conditions as set out in the employment contract.
- (b) That this report be forwarded to the Regional Municipality of Hamilton-Wentworth's Finance and Personnel Committee for information.
- 14. That a lease contract be entered into between the City of Hamilton and the Hamilton Press Club as follows:
  - (a) That a 5% increase per year or the rate of inflation, whichever is higher, be charged, to be based on the current rent being paid,
  - (b) That the lease be for a period of three years commencing March 16, 1991 and terminating on March 15, 1994 with a one year opting out clause for either party,
  - (c) That the current 5% payment of bar sales be maintained.
  - (d) That the Mayor and City Clerk be authorized to execute a lease document satisfactory to the City Solicitor. **REFERRED BACK**

Section 14 referred back with instruction:



That the Director of Property, City Treasurer and City Solicitor prepare full and complete written reports to be made available to all members of City Council and that all members of City Council be notified of the date, time and place of the meeting.

**CARRIED.**

**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Murray. -10.

NAYS: Aldermen Agro, McCulloch, Hinkley, Agostino, Ross. - 5.

**CARRIED.**

15. (a) That an Option to Purchase executed by the representatives of Paul Sherlock Homes Inc., In Trust, on September 12, 1991 and scheduled for closing on or before November 29, 1991, for the purchase of part of Lot 77, Registered Plan 1431, shown as Parts 2, 3, and 4 on Reference Plan 62R-808 and part of Lot 78, Registered Plan 1431, shown in heavy outline on the attached plan, be approved and completed. The said lands comprise 17,466 square feet (1,622.71 square metres), more or less, with frontage along the east side of Catharine Street South of 95.67 feet, more or less, and the north side of Hunter Street East of 76.48 feet, more or less. The purchase price of \$938,000. subject to adjustments pursuant to Schedule "B" of the Agreement be charged to Account Number CH 5X323 00202 (Reserve for Off Street Parking).
- (b) That the final purchase price be calculated by applying a rate of \$53.70 for each square foot of land purchased as defined by the aforementioned registered Reference Plan. This may result in an upward or downward adjustment to the approximate purchase price stated on the face page of this Option.
- (d) That the Mayor, City Clerk and Commissioner of Finance be authorized to execute the necessary documents.
16. (a) That the Draft By-law to license and regulate the keepers of tobacco shops be circulated to the industry for comment.



- (b) That a Public Meeting of the Finance and Administration Committee be scheduled on October 10, 1991 to consider submissions from the public respecting the Draft By-law.
  - (c) That a large advertisement be placed in The Spectator and Brabant Newspapers.
17. (a) That staff be authorized to dismantle the floral clock located on the City Hall forecourt and to reinstate a floral clock at T. B. McQuesten Park in concert with the development master plan for the park and the interests of Hamilton Follies Incorporated.
- (b) That staff be authorized to remove the dying fir tree from the City Hall forecourt and to consult with the Zonta Club of Hamilton regarding the location and type of a replacement tree.
- (c) That the Directors of the Property, Culture and Recreation and Public Works Departments be authorized to jointly undertake a Grounds Feasibility Study for City Hall.
18. (a) That an amendment to by-law No. 79-323 being a by-law to licence and regulate Tow Truck Owners and Drivers be enacted by City Council.
- (b) That the By-law come into force on January 1, 1992.
- (c) That the Police Services Board be advised that the City of Hamilton supports the concept of a rotational system for the towing of vehicles involved in accidents and which do not require to be secured.
19. That City Council request the Provincial Government to review its policy which requires that lottery monies or goods purchased with lottery monies must remain in the Province of Ontario.
20. That City Council be requested to ask the Regional Transportation Services Committee to consider expanding the Hamilton Street Railway Student Bus Pass Programme to enable English as a Second Language students to qualify for such passes.

21. (a) That the City of Hamilton renew the lease at 50 Jackson Street West with the Hamilton Municipal Employees' Credit Union Limited for a period of five (5) years commencing November 2, 1991 and terminating on November 1, 1996.

(b) That the Mayor and City Clerk be authorized to execute a lease document satisfactory to the City Solicitor.

(c) That rent be established on the following basis:

Rent payment be adjusted and commence on the second day of November 1991 at a rental of \$6,666.66 per month or \$80,000. per year inclusive of realty taxes which are \$19,254. for 1991.

In addition to rent paid by the Hamilton Municipal Employees' Credit Union Limited, they are also responsible for their share of the operating costs over the base year 1991.

All amounts payable shall be deemed to be additional rent.

**REFERRED BACK.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0.

**CARRIED.**

22. That the previously tabled 1991 General Grant to Hamilton Artists Inc. with a recommended grant amount of \$9,000. be approved and funded within the Grants Budget, specifically Account CH 5A018 20004.

23. (a) That the 1992 Grants and Convention/Reception Grant applications and policy remain unchanged at this time and be made available as outlined in the policy.
- (b) That the deadline for the 1992 General Grants be December 31, 1991 and appropriately advertised as such.
- (c) That the Grants Review Group review the 1992 Grants process early in 1992 to determine what revisions would be required to address changes in the grant process for submission to the Finance and Administration Committee.
24. (a) That Lottery Licence By-law 78-130, as amended, be further amended to eliminate the following provisions:
- (i) Section 21 which requires each bingo lottery licensee to carry on a minimum of 24 and a maximum of 26 bingo lottery events in a calendar year.
- (ii) Section 22 (2) where total prizes for an occasion is between \$1,500.00 and \$3,500.00, a bingo lottery licence may be issued only every two weeks.
- (iii) Section 1 (3) which requires every occasion of a bingo lottery to be carried on only the following time periods: 8:00 a.m. - 12:00 noon; 12:00 noon - 6:00 p.m.; 6:00 p.m. - 10:00 p.m.; 10:30 p.m. - 1:00 a.m.
- (vi) All references to limiting the number of bingo lotteries.
- (v) All antiquated provisions which are no longer relevant to the management and conduct of bingo.
- (b) (i) That By-law 78-130 be further amended to include a provision of one-half hour between bingo events.
- (ii) That the City of Hamilton Licensing Committee give written notice to all bingo charities that a one-month written notice to the Bingo Hall be required for a change in hall location.



- (iii) That the City of Hamilton Licensing Committee give written notice to Bingo Hall Owners that one month's written notice to a bingo sponsor be given should a Hall Owner wish to cancel a bingo lottery event. Such notice must include reasons for cancellation.
- (vi) That reference be made to the Provincial Terms and Conditions in lieu of the antiquated provisions which are to be removed.
- (v) That Lottery Licence By-law 78-130 be consolidated.
- (c) That the Licence Division be asked to review Section 32, Sub. Sec. 3, of By-law 78-130 pertaining to "not less than 20% of the total receipts (for each bingo lottery) shall be paid to the charitable organization to whom the licence was issued" with a view to complying with the Provincial Law.
- (d) That the City Solicitor be directed to prepare the appropriate By-law.
- 25. (a) That the City Solicitor be directed to prepare amendments to By-law 84-235 being a by-law to regulate Premises Providing Adult Magazines, in order to provide for the sale of all adult materials in separate areas with restricted access to adults only, or that all adult materials be kept from public view only to be provided upon request, and  
**AMENDED AS CARRIED.**
- (b) That the public be invited to make written and verbal representations to the Finance and Administration Committee.
- 26. That no professional teams receive City of Hamilton Rings as Civic Awards.
- 27. That approval be given to authorize the use of the City Hall forecourt on Monday, October 7th, 1991 from 1:00 p.m. to 2:00 p.m. by the Labourer's International Union of North America Local 837.
- 28. (a) That the City of Hamilton convey its support for the Pitch-in-Week Program and encourages the Ministry of the Environment to continue funding for this program at the \$75,000. level; and

- (b) that the Honourable Bob Rae, Premier and the Honourable Ruth Grier, Minister of the Environment be notified of the City's support.
- 29. (a) That the City of Hamilton purchase two (2) tables of ten (10) people each for attendance at the dinner being held in honour of Lincoln and Yvonne Alexander on October 3, 1991
- (b) That the cost being \$1,300. be charged to Account No. 552992-4214.
- 30. (a) That the City proceed with their request for private legislation regarding smoke alarms and lighting; and
- (b) That the City proceeds with subsequent steps to implement the private legislation.
- 31. That a By-law respecting Smoking in Public Places be enacted by City Council.
- 32. That leave be granted to introduce the following Bills:
  - (a) **Bill H-41** A By-law to Amend By-law No. 79-323 being a By-law to Licence and Regulate Tow Truck Owners and Drivers.
  - (b) **Bill H-42** A By-law to Amend By-law No. 80-258, Respecting Smoking in Public Places.  
**AS AMENDED** (see pages 1276 - 1278)
  - (c) **Bill H-43** A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDERMAN B. HINKLEY, CHAIRMAN  
FINANCE AND ADMINISTRATION  
COMMITTEE**

Tina Agnello, Acting Secretary  
1991 September 19

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Charles Gibbs	Foreman/Woman II (12-C)	Public Works	Replacing Mr. R. Farthing - promoted	\$34,232.64 to \$40,881.36	15/07/91
Ms. Elizabeth Isajiw	Solicitor (H)	Law	Replacing Ms. S. Gabruss - terminated	\$55,605.68 to \$65,539.24	12/08/91
Mr. Anthony Mancini	Foreman/Woman II (12-C)	Public Works	Replacing Mr. R. Wells - retired	\$34,232.64 to \$40,881.36	01/07/91
Mr. Michael McGaw	Captain (C-8)	Fire	Additional Staff - Approved 1991 budget	\$55,339.83	28/07/91
Mr. Glen Peace	Platoon Chief (C-12)	Fire	Replacing Mr. G. Smith - promoted	\$65,210.46	11/08/91
Mr. Art Zuidema	Solicitor (K)	Law	Replacing Mr. K. Thompson - resigned	\$45,154.72 to \$53,153.36	12/08/91



September 24, 1991

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Arie den Otter	Fleet Superintendent	Public Works	Retired	26 years, 9 months	30/08/91
Mr. Thomas Durney	Sign Painter	Traffic	Deceased	11 years, 3 month	17/08/91
Mr. Mark Franco	Supervisor of Cashiers	Treasury	Resigned	2 years, 9 months	12/08/91
Mr. Bob Murphy	Supervisor Traffic Study	Traffic	Retired	32 years, 3 months	30/08/91
Mr. John Oliver	Operator Central Utilities	Property	Resigned	1 year, 1 month	16/08/91

Prepared 06/09/91







ACCO®

ACCOMPRESS

YELLOW	25070	JAUNE
BLACK	25071	NOIR
BLUE	25072	BLEU
R. BLUE	25073	BLEU R.
GREY	25074	GRIS
GREEN	25075	VERT
TANGERINE	25077	TANGERINE
RED	25078	ROUGE
X. RED	25079	ROUGE X.

ACCO CANADA INC.  
WILLOWDALE, ONTARIO



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